

<u>1/5</u> (1-42)	<u>1/6</u> (43-88)	<u>1/10</u> (89-98)
<u>1/11</u> (99-139)	<u>1/12</u> (140-146)	<u>1/13</u> (147-161)
<u>1/18</u> (162-168)	<u>1/19</u> (169-195)	<u>1/20</u> (196-206)
<u>1/24</u> (207-214)	<u>1/25</u> (215-231)	<u>1/26</u> (232-242)
<u>1/27</u> (243-256)	<u>1/31</u> (257-271)	<u>2/1</u> (272-283)
<u>2/2</u> (284-288)	<u>2/3</u> (289-295)	<u>2/7</u> (296-305)
<u>2/8</u> (306-320)	<u>2/9</u> (321-338)	<u>2/10</u> (339-354)
<u>2/14</u> (355-364)	<u>2/15</u> (365-376)	<u>2/16</u> (377-385)
<u>2/17</u> (386-400)	<u>2/21</u> (401-413)	<u>2/22</u> (414-425)
<u>2/23</u> (426-442)	<u>2/24</u> (443-463)	<u>2/28</u> (464-481)
<u>3/1</u> (482-494)	<u>3/2</u> (495-509)	<u>3/3</u> (510-530)
<u>3/7</u> (531-544)	<u>3/8</u> (545-563)	<u>3/9</u> (564-580)
<u>3/10</u> (580-600)	<u>3/14</u> (601-613)	<u>3/15</u> (614-645)
<u>3/16</u> (646-677)	<u>3/17</u> (678-706)	<u>3/18</u> (707-710)
<u>3/28</u> (711-734)	<u>3/29</u> (735-762)	<u>3/30</u> (763-788)
<u>3/31</u> (789-822)	<u>4/1</u> (823-830)	<u>4/4</u> (831-845)
<u>4/5</u> (846-912)	<u>4/6</u> (913-1153)	<u>4/7</u> (1154-1182)
<u>4/11</u> (1183-1212)	<u>4/12</u> (1213-1242)	<u>4/13</u> (1243-1272)
<u>4/14</u> (1273-1303)	<u>4/18</u> (1304-1310)	<u>4/19</u> (1311-1380)
<u>4/20</u> (1381-1426)	<u>4/21</u> (1427-1437)	<u>4/22</u> (1438-1600)
<u>4/26</u> (1601-1624)	<u>4/27</u> (1625-1663)	<u>4/28</u> (1664-1692)
<u>5/2</u> (1693-1747)	<u>5/3</u> (1748-1803)	<u>5/4</u> (1804-1875)
<u>5/5</u> (1876-2056)	<u>5/9</u> (2057-2176)	<u>5/10</u> (2177-2254)
<u>5/11</u> (2255-2441)	<u>5/12</u> (2442-2595)	<u>5/13</u> (2596-2709)
<u>7/7</u> (2710-2713)	<u>8/8</u> (1-9)	

Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 5, 2011

The House was called to order at twelve o'clock noon by the Honorable Robin Carnahan, Secretary of State.

Prayer by Dr. William Miller, Pastor of the First Baptist Church, Farmington, Missouri.

Our Father, thank You for the symbols which surround us in this place. They are reminders of the sacrifice of those who have gone before us; they remind us of the privilege of living in a free state; and they also remind us of the challenges which lie before us.

Assembled in this place is a group of public servants who have before them a huge responsibility and challenge.

I pray for these men and women in this House who will represent the people of Missouri. I pray for each of them to have wisdom, grace and guidance from You.

Each of these representatives now holds a sacred trust given to them by the vote of the people. It is also a sacred trust that comes from on high because we believe that government for the good of the people is ordained of God.

As each of these representatives assume this sacred trust, the decisions they make will often be difficult. May each find in You, and help from another, the guidance they need to serve the best interests of the people of Missouri.

Father, many of these representatives will travel weekly, some long distances. I pray, for each of them, safe travel. Each week they will be separated from family. I pray Your care for their families at home.

I pray for the spirit of cooperation that will enable great progress in this session. God, as they do this difficult work, may the words of the writer of Proverbs aid them when he says, "Trust in the Lord with all your heart and do not lean on your own understanding. In all your ways acknowledge Him and He will make your paths straight."

I offer this as my prayer for these dedicated public servants and the Legislative Session ahead, through Jesus Christ our Lord. Amen.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors.

The Pledge of Allegiance to the flag was recited.

ADDRESS BY SECRETARY OF STATE ROBIN CARNAHAN

Good Afternoon. I'm Secretary of State Robin Carnahan, and I'd like to welcome you to the 96th Regular Session of the Missouri General Assembly. Thanks to those of you returning to continue your service to our state. And a very special welcome and congratulations to those who are here for the first time... and that includes nearly ½ of the members of the Missouri House.

For some of you who might be confused about why the Secretary of State is presiding over your first day on the job in the legislature, let me explain. I wield the gavel today for two reasons...law and tradition...two concepts you will hear a lot about in the months ahead.

By law, the Secretary of State presides over the opening of each legislative session until a duly elected Speaker is chosen. And by tradition, as the presiding officer I'm expected to speak...but only briefly. It's also a tradition that everyone who makes it to the dais (and even some who don't) also give a speech. So I'll keep it short.

Today marks a momentous occasion - the opening of the 96th Missouri General Assembly.

Think about that. For the past 190 years...since Missouri joined the Union in 1821...citizen legislators, just like you, have gathered in this same way to set the direction for our state.

Like them, you also come from different parties and different regions, with different ideas, different constituencies, and different life experiences. Despite all those differences, you are united by your commitment to serve, and you share a common purpose - ensuring a bright future for Missouri families.

Doing this job, while always remembering that common purpose, is the great challenge before you.

It's no secret that our state faces financial challenges. And the choices you'll be making in the months ahead are both serious and likely to stir up heated debate. And they should. Because the decisions you make in the comfort of this beautiful Chamber will have serious implications for all those Missouri families who don't enjoy these comforts but who nevertheless have entrusted you to work for them.

Millions of Missourians are counting on you not only to maintain but to continue building on the strong foundation that makes our state a great place to raise a family, start a business, and find a good job, affordable healthcare, and a world-class education for their kids.

So, as you struggle in the months ahead with difficult choices, just as your predecessors did, I hope you'll remember two things: First, never forget that those everyday Missourians - the people you work for - are counting on you to get it right. And second, never forget that throughout our long history, Missouri's leaders have guided our state in even tougher times - times of war, depression, and disaster - and yet, they stayed committed to the common purpose of ensuring a brighter future for Missouri families.

As you prepare to take on the high honor and great responsibility bestowed upon you this day, I'd like to leave you with one final thought.

For 125 years, the Statue of Liberty has stood as the most famous symbol of freedom in the world. It has endured storms and blizzards, rain and snow, extreme heat and bitter cold. And yet, still, she stands proud with her flame held high as a beacon of hope and determination to the rest of the world.

I was reminded recently about the unique construction of the Statue. Its outer surface, the part that we see, is actually made of a very thin layer of copper just 1/10 of an inch thick. The only reason the Statue has withstood all the ravages of time is not because of what we see on the outside, it's because of what's inside. You see, the Statue literally has an iron core. And that's what gives it the strength to withstand the heat and storms and whatever else comes along. Maintaining the strength and integrity of that iron core is what holds up that beautiful structure that gives hope to all Americans who cherish freedom.

Just like Lady Liberty has endured because of her iron core, I am confident that our state will do the same. Because like that Statue, our strength is in our core – our people, our businesses that provide good jobs, our hospitals that heal the sick, and our schools that educate our children. Those people and institutions are the iron core that gives our state the strength to endure whatever challenges come along.

My prayer today is that in the weeks and months ahead each of you remembers that it's your job to maintain our core by protecting those things that give us the strength and hope for the future. That will be your lasting legacy.

May God bless you as you go about this important work.

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 96th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 96th General Assembly (First Regular Session) of the State of Missouri, elected at the General Election held on November 2, 2010.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2011.

/s/ Robin Carnahan
Secretary of State

MISSOURI HOUSE OF REPRESENTATIVES 96th General Assembly, First Regular Session

District	Name
1st	Craig Redmon
2nd	Zachary Wyatt
3rd	Casey Guernsey
4th	Mike Thomson
5th	Glen Klippenstein
6th	Lindell F. Shumake
7th	Mike Lair
8th	Tom Shively
9th	Paul Quinn
10th	Jay D. Houghton
11th	Ed Schieffer
12th	Doug Funderburk
13th	Chuck Gatschenberger
14th	Kathie Conway
15th	Sally A. Faith
16th	Mark A. Parkinson
17th	Vicki Schneider
18th	Anne Zerr
19th	Kurt Bahr
20th	Jeanie Riddle
21st	John W. Cauthorn
22nd	Randy Asbury
23rd	Stephen Webber
24th	Chris Kelly
25th	Mary Wynne Still
26th	Joe Aull

27th	Pat Conway
28th	Delus Johnson
29th	Galen Wayne Higdon, Jr.
30th	Nick Marshall
31st	Jay Swearingen
32nd	Ron Schieber
33rd	Jerry Nolte
34th	Myron Neth
35th	T.J. Berry
36th	Bob Nance
37th	Mike Talboy
38th	Ryan Silvey
39th	Jean Peters-Baker
40th	John Joseph Rizzo
41st	Shalonn (Kiki) Curls
42nd	Leonard (Jonas) Hughes
43rd	Gail McCann Beatty
44th	Jason Kander
45th	Jason R. Holsman
46th	Kevin McManus
47th	Jeff Grisamore
48th	Gary Cross
49th	Tom McDonald
50th	Michael Ricardo Brown
51st	Ira Anders
52nd	Noel Torpey
53rd	Brent Lasater
54th	Jeanie Lauer
55th	Sheila Solon
56th	Mike Cierpiot
57th	Karla May
58th	Penny V. Hubbard
59th	Jeanette Mott Oxford
60th	Jamilah Nasheed
61st	Chris Carter
62nd	Donald E. (Don) Phillips
63rd	Tishaura O. Jones
64th	Susan Carlson
65th	Michele Kratky
66th	Genise Montecillo
67th	Mike Colona
68th	David Sater
69th	Tommie Pierson
70th	Sharon L. Pace
71st	Clem Smith
72nd	Rory Ellinger
73rd	Stacey Newman
74th	Steve Webb
75th	Bert Atkins
76th	C.M. Spreng
77th	Eileen Grant McGeoghegan
78th	Margo McNeil
79th	Mary Nichols
80th	Sylvester Taylor, II
81st	Rochelle Walton Gray
82nd	Jill Schupp

83rd	Jake Zimmerman
84th	Don Gosen
85th	Cloria Brown
86th	Cole McNary
87th	John J. Diehl, Jr.
88th	Andrew Koenig
89th	Timothy W. Jones
90th	John C. McCaherty
91st	Jeanne Kirkton
92nd	Sue Allen
93rd	Dwight Scharnhorst
94th	Rick Stream
95th	Mike Leara
96th	Scott Sifton
97th	Gary Fuhr
98th	Dave Hinson
99th	Bart Korman
100th	Marsha Haefner
101st	Timothy G. (Tim) Meadows
102nd	Paul Wieland
103rd	Ron Casey
104th	Joseph Fallert, Jr.
105th	Paul Curtman
106th	Steven Tilley
107th	Linda Black
108th	Jacob W. Hummel
109th	Scott D. Dieckhaus
110th	Ben Harris
111th	Dave Schatz
112th	Tom Loehner
113th	Mike Bernskoetter
114th	Jason (Jay) Barnes
115th	Rodney Schad
116th	Wanda Brown
117th	Caleb Jones
118th	Stanley Cox
119th	Sandy Crawford
120th	Scott N. Largent
121st	Denny L. Hoskins
122nd	Mike McGhee
123rd	Chris Molendorp
124th	Rick Brattin
125th	Barney Fisher
126th	Mike Kelley
127th	Tom Flanigan
128th	Charlie Davis
129th	William (Bill) White
130th	Bill Reiboldt
131st	Bill Lant
132nd	Don Ruzicka
133rd	Sue Entlicher
134th	Thomas Long
135th	Charles W. (Charlie) Denison
136th	Eric Burlison
137th	Melissa Leach
138th	Sara Lampe

139th	Shane Schoeller
140th	Lincoln Hough
141st	Kevin Elmer
142nd	Raymond (Ray) Weter
143rd	Lyle Rowland
144th	Tony Dugger
145th	Lyndall Fraker
146th	Darrell Pollock
147th	Don Wells
148th	David Day
149th	Keith Frederick
150th	Jason T. Smith
151st	Ward Franz
152nd	Paul Fitzwater
153rd	Steve Cookson
154th	Todd Richardson
155th	Diane Franklin
156th	Shelley (White) Keeney
157th	Donna Lichtenegger
158th	Wayne Wallingford
159th	Billy Pat Wright
160th	Ellen Brandom
161st	Steve Hodges
162nd	Terry Swinger
163rd	Kent Hampton

The following roll call indicated a majority of the Representatives-elect present:

AYES: 160

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey

Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Tilley	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 001

Entlicher

ABSENT WITH LEAVE: 002

Hughes Kelly 24

The following Representatives-elect advanced to the bar and subscribed to the oath of office, which was administered by the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri.

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Tilley	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOMINATIONS FOR TEMPORARY SPEAKER

Representative Guernsey nominated Representative Shelley Keeney as temporary Speaker of the House.

Representative Faith seconded the nomination.

Representative Hodges nominated Representative Terry Swinger as temporary Speaker of the House.

Representative Swinger withdrew his nomination.

Representative Jones (89) moved that nominations cease and that Representative Keeney be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Keeney to the dais: Representatives Hoskins, Brandom, Fitzwater, Lichtenegger, Wright, Black, Swinger and Hodges.

Temporary Speaker Keeney assumed the Chair.

Temporary Speaker Keeney addressed the House.

NOMINATIONS FOR SPEAKER

Representative Diehl nominated Representative Steven Tilley as Speaker of the House.

Representative Nolte seconded the nomination.

Representative Curls nominated Representative Mike Talboy as Speaker of the House.

Representative Talboy withdrew his nomination.

Representative Jones (89) moved that nominations cease and that Representative Tilley be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Tilley to the dais: Representatives Diehl, Nolte, Smith (150), Brandom, Zerr, Jones (117), Richardson, Nasheed, Swinger, Brown (50) and Holsman.

Representative Tilley subscribed to the oath of office which was administered by the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri.

Speaker Tilley assumed the Chair.

ADDRESS BY SPEAKER STEVEN TILLEY

Thank you, and welcome....I am addressing you today as the Speaker of the Missouri House because your confidence, trust, and support made it possible and for that I will always be grateful.

However the reason I stand here is because of the love and sacrifice of some very special people, and I would like to take this opportunity to introduce them.

Although I may be the Leader of this House, there is one undisputed Speaker in my own house, and that is my wife, Kellie Tilley.

I am sure serving as Speaker will undoubtedly be one of the most significant achievements of my life, but the greatest honor and achievement I will ever have is being the father of my two beautiful daughters, Kourtney and Korrin.

My parents taught me at a young age the importance of hard work, integrity, kindness, and compassion. They have always been my biggest fans and believed in me when I found it hardest to believe in myself. Please welcome my parents Everett and Bonnie Tilley and Linda and Dave Wooff.

And last, but certainly not least, my role model, my best friend, and my older brother, Jason, and his wife Maureen.

I would like to start by sharing a story with you that only my family members know. As an 18-year-old college freshman I was pretty immature...perhaps some of you can relate. I was more focused on "extracurricular activities" than I was academics, and my grades reflected this. My Mom once pointed out, "to say my academic achievement was less than stellar would be a historic understatement."

However, as time passed, and with the help of my wife, I matured and realized that if I wanted to amount to anything and fulfill my potential, I had to get serious about school. So I did, and in my last three years I excelled academically. In October of 1993 I applied to optometry school. It was very competitive to get into a professional school because only 1 spot is granted for about every 10 applicants.

Although I had done quite well in my classes the last three years, my lack of focus early on brought my grade point average to less than impressive, but I always believed in my heart that if I could just get an interview, if I could explain how much I matured, how hard I could work, and how much I learned they would give a chance and allow me to become an asset to the profession.

However, November and December passed and no interview. January and February passed; still no interview. As March approached as the last month for interviews, I sat down with my father, and he suggested I go visit a respected optometrist just south of us. This doctor was a person who has been recognized as a leader in the profession of optometry for a generation.

I called this distinguished optometrist and he agreed to meet with me, so I drove to Caruthersville to ask for his help. After hearing my story he agreed to make a call on my behalf, and, to make a long story short, I got an interview. The University of Missouri St. Louis accepted me, and the rest is history. Without having been accepted to optometry school, I probably wouldn't have become a doctor. I probably wouldn't have found my way into the Missouri House of Representatives, and certainly wouldn't be standing before you as Speaker.

That man was Doctor Terry Swinger. We all know him as one of our colleagues here in the House, Representative Swinger.

As I reflect on my past, with the exception of my family members, Representative Swinger is the individual who has had the most profound positive impact on my life, and I want to stand here today and from the bottom of my heart thank him.

The reason I wanted to share that story with you is because we can all learn a valuable lesson from Representative Swinger. When I was a young man that needed help, a young man that needed someone to believe in me, he didn't look at me as a Republican or a Democrat, especially not the future Speaker; he looked at me as a person.

As we embark on this legislative session, let's not look at one another as Republicans or Democrats, but rather as normal dedicated citizens working to make this state a better place to live, work, and raise a family.

We're not always going to agree - even with our own parties, but we must agree to not let partisanship get in the way of good ideas.

Within this story there is also a challenge, and it is a challenge I am placing before all of you. Dr. Swinger took a chance on a young man because maybe he was a local kid, or maybe because he believed I could become an asset to the profession, but he definitely set an example as a role model that I have not forgotten.

And in return, I hope as a young man I was able to set an example as well...that it is alright to believe in people, that we can still have faith in one another...and always hope for the best.

So, my challenge is this: that we all, in our entrusted positions, lead by example.

As Republicans, we now control the largest majorities in the nearly 200-year history of our state. Because of that, it is my belief we now have the greatest responsibility in leading by example.

From the book of Luke: "When someone has been given much, much will be required in return; and when someone has been entrusted with much, even more will be required."

Missourians have entrusted us with the power of state government. And Missourians have been clear; they want...need...and deserve a change in the culture of how we operate.

Missourians want legislative leaders who live by the same rules they do.

So as your Speaker, I have a great deal of responsibility and therefore the largest role in leading by example.

However, we don't always have to lead by legislating. As elected officials our goal shouldn't always be to create more laws, but institute better principles, a change of attitude, and a willingness to challenge the status quo.

As your Speaker-elect, I believe you have seen firsthand my willingness to challenge the status quo. To accept the way things have always been done as the way they should always be done is unacceptable. My first change, for the first time ever, as an incoming Speaker was naming our intended Chairman more than a month in advance. We followed that by assigning committees to all members, both Republican and Democrat, before session started. The reason was so that, before this gavel fell, each of you could be focused on your issues and getting down to business for the people of Missouri.

Second, I took a historic step in naming three Democrats as chairmen to substantive committees. I believe in the fundamental principle that a chairman should not be chosen because of the party under which they run, but rather by the quality which they possess.

Missouri families face difficult times. Unemployment hovers over 9%, and many of these families have been forced to tighten their belts. We will also have to make more cuts this year, and so we in the Missouri Legislature must lead by example.

Together, with Minority Leader Talbot, our combined leadership teams have identified savings of more than 10% and in my own office 15%. I applaud our Republicans as well as the Democrats in working together for that step in the right direction. This year we will prove to the citizens of our state that government can and will tighten their belts to do more with less

Another example of challenging the status quo will come very soon. We will be approving the House Rules under which we operate. Within this set of Rules you will see several distinct changes, one of which removes partisan control of committees and reinstitutes the power of the minority leader to appoint his chosen members to committee. The expansion of special committees was done under Republican control. It limited the minority's power and we are going to fix it.

In addition, working with Budget Chairman Silvey and the Appropriations Chairs, we will move to require cost-containment plans from every state government department. Departments must realize we want to work together on improving efficiency, not simply hear requests for more dollars. Further, I am ready to grant subpoena power to the budget committee to root out more waste, fraud, and abuse.

These are just some small changes, but they show Missourians we are willing to lead by example and committed to getting beyond the business-as-usual mentality and challenge the status quo.

However, it will take more than this to get our state on the right track.

As a citizen, I am convinced government should NOT be the SOLUTION to every problem....but as legislators we should try everything in our power to make sure government is NOT the PROBLEM either.

Today, I would like to lay out a plan called the Show Me Solutions Initiative.

The principles of this plan are built on the principles by which Missourians expect us to govern - Limited Government, Fiscal Prudence, Individual Freedom, and Personal Responsibility, but it is also grounded in common sense. These are also ideas that are not entirely new, but with a change in focus are completely achievable because, when many of us talk with everyday Missourians, their call has often been "Show me solutions."

There are five key component areas I see as vital to our progress.

The first is a pledge to the voters that we heard them loud and clear. We will force government to live within its means, balance the state budget, and hold the line on taxes, period.

Second, our top priority must be job creation. But first let me be clear. Government does not create jobs. Entrepreneurs, small business owners, and large employers do. Government's role is not to run the economy, but to facilitate a business climate where the entrepreneurial spirit can thrive.

To create a better economic environment for all job creators, businesses must have a peace of mind that they will not be hampered with new regulations, fees, taxes, or frivolous lawsuits. If we achieve that, THEY can create new jobs. Therefore, our plan calls for a moratorium on any new regulations, fees, or new taxes for small businesses. However, we also want to take a significant step in reducing and limiting unfair lawsuits that threaten the viability of good honest businesses - and that includes Missouri's family farms.

Third, bring more accountability to government. For instance, if someone wants a Missouri driver's license, I think they should pass it in our official language - and that is English. And, as law enforcement personnel conduct a citizenship verification, why don't we cross-reference those individuals with the sexual predator list. Finally, we have to acknowledge that human trafficking occurs in our state and that in the worst cases it involves the sexual trafficking of children. Let's send a clear message to these worst of the worst that Missouri will not tolerate it and that no punishment is too severe.

In Missouri, I believe we can also reach for greater accountability from the federal government. So, we will work on a federal repeal resolution to band with other states and reject out-of-touch, out-of-control, and policies outside their authority.

Fourth, I believe in the fundamental principle that every child deserves a world class education. And it shouldn't matter if you are a Caucasian student in Perryville, MO, or an African American child in St. Louis or a Hispanic child in Kansas City. I have asked my education chairman to not focus on what's best for administrators, to not focus on what's best for teachers unions, but to focus on what is best for our children's education. Therefore, we need to pass

teacher tenure reform that will reward good teachers and provide greater local control to school districts. We also need to strongly consider adopting policies to address social promotion. We are doing our children an injustice by merely passing them along if they can't meet the minimum standards.

Fifth, use responsibility and free market concepts to expand and increase quality healthcare. Missourians are compassionate people and willing to give a hand-up, but that is different than a handout. Missourians are interested in helping someone out of a bad situation, but Missourians have no interest in funding a bad habit.

That is why we need to pass drug testing on welfare recipients.

In Congress they believe the first 100 days are essential to establishing progress. However, in the Show Me State I believe our standards should be higher, and so my last challenge as well as yours is that we shoot for success in our first 50 days, so that in the first 50 days of this session, the House will have passed 75% of its priorities.

Finally, in closing I want you to take this into consideration. There are roughly 6 million people in Missouri, and only 163 get the honor and privilege to serve in the House of Representatives. We all have a unique but fleeting opportunity to make a difference in the lives of our citizens.

A few months back my Dad told me not to waste this opportunity. He told me I had a choice. As Speaker I could hop in the boat, float downstream, not make any waves, and let the river of history take me through the path of least resistance, then, at the end of the ride, just look back and be glad I was Speaker.

Or, I could hop out of the boat, make a few waves, and charter a new course. I'm choosing to chart a new course and challenge each of you to chart that new course with me.

May God bless all of you, may God bless your families, and may God bless the great state of Missouri

NOMINATIONS FOR SPEAKER PRO TEM

Representative Thomson nominated Representative Shane Schoeller for Speaker Pro Tem of the House.

Representative Brandom seconded the nomination.

Representative Newman nominated Representative Tishaura Jones for Speaker Pro Tem of the House.

Representative Jones (63) withdrew her nomination.

Representative Jones (89) moved that nominations cease and that Representative Schoeller be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Schoeller to the dais: Representatives Thomson, Brandom, Richardson, Wells, Haefner, Pollock, Holsman, Jones (63), Webb and McNeil.

Representative Schoeller subscribed to the oath of office which was administered by the Honorable Dan Imhof, Greene County Circuit Court, Associate Division 21.

Speaker Pro Tem Schoeller assumed the Chair.

ADDRESS BY SPEAKER PRO TEM SCHOELLER

Secretary Carnahan, Fellow Members of the General Assembly, and our distinguished guests, it is an honor to be here before you today. Please allow me to pause for a moment and give tribute to my Lord and Savior Jesus Christ who, without a doubt, has granted me the opportunity to stand here now. To Him I say thank you.

I am also tremendously blessed by my wife Mendie and our three children Emma, Dorthy and Johnny as well as my parents, sister, family and special friends whose support allowed me to make this journey over the past four years.

To my fellow colleagues, I look forward to serving together with you for Missouri. As we do, may we keep in mind the words of our State Constitution in Article I, Section 1. "That all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole." Perhaps our own U.S. Constitution summed it up best with three simple words, "We The People." We would do well to remember and recognize that our strength lies in the heart and spirit of every citizen, whom we are privileged to serve.

In that spirit, it is our duty to be purposeful in every legislative action we consider making. May the budget and legislation we pass promote those we serve to become more self-reliant and empower them to embrace the freedom of responsible independence.

In this past election Missouri's voters made it very clear that it is no longer acceptable to expect them to tighten their belts while government continues to grow due to the lack of solid fiscal standards. The voters have told us that they want a state government that is structured to be small and efficient, and now we must make that our duty.

As politicians, it is time for us to admit that we cannot solve every problem. We must be careful to question well-intentioned programs or laws that fail to create solutions and often create more problems. Let me paraphrase an old proverb to make my point: "Give a man a fish and you feed him for a day. Get the government out of the way so he can catch his own fish, and he will feed himself for a lifetime."

In the spirit of self-reliance we must be active in affecting our state business climate for the better. By diligently working to simplify our tax code, decreasing regulations and giving business owners, regardless of their size, the breathing room they deserve so that we will promote growth.

Any increase in taxes or regulations, whether state or federal, could be the final straw that breaks the camel's back, forcing them to decrease their workforce or worse, close their doors. In resisting the urge to over-regulate, we help ensure the very backbone of our economy, Missouri businesses, have the opportunity to thrive, which in turn helps sustain and create the vital jobs Missourians are looking for.

In the spirit of equal opportunity we must embrace the goal of a second to none public education system. I encourage all of us to keep in mind that our children will be better served when parents and local school boards have the freedom to determine how to best reach academic success without the concern of bureaucratic red tape and one-size-fits-all policies.

Our children deserve the best, and that is why I ask for a renewed spirit of cooperation that allows us to debate the issues without being swept up in the gridlock of self-interest. I was encouraged recently by a meeting with local superintendents and legislators where we had an open and frank conversation that I am eager to continue as we work together to improve our partnership with our local schools.

I understand you did not come to hear a fellow most of you don't know that well pontificate and so I will close my remarks shortly, but I would be remiss if I did not also affirm our sacred duty as a state to protect the vulnerable and indefensible.

I will never apologize for the duty we have as a state to protect those who cannot protect themselves, whether born or unborn. For too long, abused children have taken a back seat to politics and bureaucratic rules. We cannot continue to ignore our failing system while many little ones have lost their lives or have endured life-altering injuries.

It is time we commit ourselves to their protection and make no apologies for doing so. I call on Governor Nixon to work with us over the next two years to ensure we help the least of these, since their very life depends on it.

As we work to strengthen laws that protect life in the halls of this capitol I challenge this body, each community and each faith-based organization to be even more vigilant in upholding the sacredness of life and the individual beauty given to us all by our Creator. In doing so we will foster the culture of life necessary to truly protect the unborn.

It is not in the letter of the law that we will ever see abortions cease to occur, but rather in the spirit of our culture. We must choose to help mothers in unexpected pregnancies so that they are given every opportunity to bring their little one to full term. Changes in the law will be meaningless until life is held to be so sacred that willfully choosing to end it becomes unthinkable.

As I close, I want to thank our men and women that make the ultimate sacrifice each day, putting their own lives on the line: members of the Missouri National Guard, our nation's armed services, our law enforcement and emergency response teams that work to protect our communities and the freedoms we enjoy. It is freedom fought for since our nation's founders declared, "We the People," and it is in that spirit I say, "May God bless you and yours, our great state and this great nation we call home!"

Speaker Tilley resumed the Chair.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read by Steve Adams, Reading Clerk.

THE BILL OF RIGHTS

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War

or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Lauren Riley Smith.

HOUSE RESOLUTIONS

Representative Jones (89) offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Rules of the House of Representatives of the Ninety-fifth General Assembly, and all amendments thereto, be the temporary Rules of the House of Representatives, Ninety-sixth General Assembly, until or unless otherwise ordered.

On motion of Representative Jones (89), **House Resolution No. 1** was adopted.

Representative Jones (89) offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the following be elected permanent officers of the House of Representatives of the Ninety-sixth General Assembly.

Chief Clerk. D. Adam Crumbliss
 Doorkeeper. Don Knollmeyer
 Sergeant-at-Arms. Ralph Robinett
 Chaplain. Reverend Monsignor Robert Kurwicki

On motion of Representative Jones (89), **House Resolution No. 2** was adopted.

The following officers subscribed to the oath of office which was administered by the Honorable Steven Tilley, Speaker of the House.

Chief Clerk. D. Adam Crumbliss
 Doorkeeper. Don Knollmeyer
 Sergeant-at-Arms. Ralph Robinett
 Chaplain. Reverend Monsignor Robert Kurwicki

Representative Jones (89) offered **House Resolution No. 3**, which was read.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker. Steven Tilley
 Speaker Pro Tem. Shane Schoeller
 Chief Clerk. D. Adam Crumbliss
 Doorkeeper. Don Knollmeyer
 Sergeant-at-Arms. Ralph Robinett
 Chaplain. Reverend Monsignor Robert Kurwicki

On motion of Representative Jones (89), **House Resolution No. 3** was adopted.

Representative Jones (89) offered **House Resolution No. 4**, which was read.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Resolution No. 4** was adopted.

Representative Jones (89) offered **House Resolution No. 5.**

HOUSE RESOLUTION NO. 5

WHEREAS, the members of the Missouri House of Representatives take great pride in recognizing those outstanding public servants who have consistently performed their official duties with the highest degree of dedication, competence, and integrity; and

WHEREAS, the Honorable Robin Carnahan is to be praised and commended for the conscientious and effective manner in which she has performed her duty of presiding over the deliberations of the House of Representatives prior to its temporary organization, one of the numerous responsibilities of the Secretary of State under the Constitution of the Great State of Missouri; and

WHEREAS, since taking the oath of office in January 2005, the Honorable Robin Carnahan has distinguished herself through tireless commitment to each and every one of her responsibilities as Secretary of State; and

WHEREAS, prior to becoming Missouri's 38th Secretary of State, Robin Carnahan worked in central and eastern Europe to help rebuild the region's democracies and economics by drafting voting laws, training new political leaders, and monitoring elections, and has worked in six countries to promote democracy and free elections; and

WHEREAS, during her current tenure in office, Robin Carnahan has worked to enact the bipartisan Senior Investor Protection Act which is recognized as one of the toughest investor protection laws in the nation; launched the Missouri Investor Protection Center; established the Missouri Digital Heritage website which digitally links historical information and resources from the Missouri State Archives, the State Library, and local organizations; and designed the Safe at Home address confidentiality program which to date has protected more than 700 Missourians from domestic violence, sexual assault, and stalking; and

WHEREAS, as Missouri's chief election official, Robin Carnahan has made it her top priority to ensure fairness in the election systems of Missouri so our citizens have confidence that their votes are counted:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, join unanimously in expressing sincere appreciation and deep gratitude to the Honorable Robin Carnahan for the proud and faithful manner in which she has served this legislative body and in wishing her only the best in her continuing endeavors to meet the needs of Missouri's citizens by providing them with the finest quality of service and information available through the Office of the Secretary of State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Robin Carnahan as a mark of our esteem for her.

On motion of Representative Jones (89), **House Resolution No. 5** was adopted.

Representative Jones (89) offered **House Resolution No. 6.**

HOUSE RESOLUTION NO. 6

WHEREAS, as the Ninety-sixth General Assembly of the State of Missouri convenes on Wednesday, January 5, 2011, the members of the Missouri House of Representatives proudly acknowledge services rendered to the General Assembly by distinguished public servants of this fair state; and

WHEREAS, the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri, deserves countless words of praise and commendation for the selfless manner in which he has given his valuable time to administer the oath of office to members of this legislative body in accordance with Missouri law; and

WHEREAS, during the inaugural session of the House of Representatives, Chief Justice Price displayed the highest degree of dedication in continuing the long-established tradition of rendering a sense of both dignity and solemnity in the prestigious ceremony which marks the official beginning of each legislator's two-year term in office as an elected representative of the people of Missouri; and

WHEREAS, it is entirely fitting and proper that this legislative body should take pause to applaud the numerous and laudable achievements of the Honorable William Ray Price, Jr. during his exemplary legal career:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, join unanimously in expressing our most sincere thanks and deepest appreciation to the Honorable William Ray Price, Jr. for the devoted and faithful manner in which he has served this body and further extend our very best wishes for continued great success and even more outstanding accomplishments in executing his numerous varied duties and responsibilities as a Chief Justice of our State's Highest Court; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable William Ray Price, Jr. as a mark of our esteem for him.

On motion of Representative Jones (89), **House Resolution No. 6** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Jones (89) offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 19, 2011, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 1** was adopted.

Representative Jones (89) offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 2, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive

any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 2** was adopted.

HOUSE RESOLUTIONS

Representative Jones (89) offered House Resolution No. 11 and House Resolution No. 12.

Representative Kirkton offered House Resolution No. 16.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 7 through House Resolution No. 10

House Resolution No. 13 through House Resolution No. 15

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 3, introduced by Representatives Scharnhorst, Parkinson, Lichtenegger, Schad, Barnes and Ruzicka, relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 1, introduced by Representatives Allen, Flanigan, Lasater, McCaherty, Zerr, Bahr, Keeney, Lant, Shumake and Wyatt, relating to the general assembly.

HJR 2, introduced by Representatives McGhee, Wallingford, Lant, Reiboldt, Schieber, Lasater, White, Cierpiot, Keeney, Loehner, Wells, Schad, Davis, Bahr, Gatschenberger, Wyatt, Klippenstein, Fitzwater, Jones (89), Thomson, Lichtenegger, Hough, Rowland, Sater, Solon, Long, Shumake, Crawford, Hinson, Ruzicka, Schneider, Hampton, Frederick, Phillips, Korman, Elmer, Allen, Bernskoetter, Higdon, Brown (116), Asbury, Schatz, Curtman and Koenig, relating to the right to pray.

HJR 3, introduced by Representatives Loehner, Reiboldt, Schieffer, Rowland, Hinson, Fisher, Phillips, Nance, Neth, Fitzwater, Smith (150), Dugger and Schad, relating to the right to raise animals.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 26, introduced by Representatives Jones (63), Curls, Beatty, Carter, Walton Gray, Nasheed, Smith (71), May and Talboy, relating to city earnings.

HB 27, introduced by Representative Sater, relating to tax credits for donations to senior citizen services centers.

HB 28, introduced by Representative Sater, relating to the right of pharmacies regarding abortifacients.

HB 29, introduced by Representative Sater, relating to the volunteer health services act.

HB 30, introduced by Representative Sater, relating to pawnshops.

HB 31, introduced by Representative Sater, relating to the senior services growth and development program.

HB 32, introduced by Representative Sater, relating to heritage birth certificates and heritage marriage certificates.

HB 33, introduced by Representative Sater, relating to bicycle riders.

HB 34, introduced by Representative Sater, relating to eligibility for temporary assistance for needy families benefits.

HB 35, introduced by Representative Sater, relating to landlord-tenant law.

HB 36, introduced by Representative Sater, relating to sales tax exemptions for farm equipment.

HB 37, introduced by Representative Pace, relating to use of credit scores by prospective employers.

HB 38, introduced by Representative Pace, relating to jailors.

HB 39, introduced by Representative Lampe, relating to elected officials.

HB 40, introduced by Representative Lampe, relating to identification, assessment, education, and services for handicapped and severely handicapped students in public school districts.

HB 41, introduced by Representative Lampe, relating to the Amber alert and Silver alert system.

HB 42, introduced by Representative Loehner, relating to a nuclear power surcharge.

HB 43, introduced by Representatives Conway (27) and Lasater, relating to abatement of nuisances.

HB 44, introduced by Representative Lampe, relating to the paper reduction act.

HB 45, introduced by Representatives Hoskins, Allen, Nance, Molendorp, Zerr, Nolte, Pollock and Scharnhorst, relating to small businesses.

HB 46, introduced by Representatives Diehl, Jones (89), Barnes, Richardson, Lant, White, Franz, Gosen, Frederick, Long, Elmer, Fraker, Houghton, Redmon, Nance, Funderburk, Schneider, Koenig, Brattin and Scharnhorst, relating to fire sprinkler system installation.

HB 47, introduced by Representative Cookson, relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

HB 48, introduced by Representative Cookson, relating to motor fuel tax exemptions.

HB 49, introduced by Representative Meadows, relating to the designation of the new Mississippi River bridge.

HB 50, introduced by Representatives Taylor, Reiboldt, Lant and Davis, relating to taxation of lump sum distributions from certain annuities or other retirement plans.

HB 51, introduced by Representatives Taylor, Higdon, Hinson and Spreng, relating to a surcharge to fund law enforcement and fire safety training.

HB 52, introduced by Representatives Ellinger and Nichols, relating to the implementation of the streamlined sales and use tax agreement.

HB 53, introduced by Representative Meadows, relating to portable radar speed display signs.

HB 54, introduced by Representative Dugger, relating to political party emblems on ballots.

HB 55, introduced by Representative Sater, relating to sales tax exemptions.

HB 56, introduced by Representative Brown (50), relating to a tax credit for employers who hire high school students for summer jobs.

HB 57, introduced by Representative Brown (50), relating to obesity.

HB 58, introduced by Representative Brown (50), relating to the Missouri and Midwest High-Speed Rail Commission.

HB 59, introduced by Representative Brown (50), relating to the coordination of school health programs.

HB 60, introduced by Representatives Nolte, Scharnhorst, Schad and Schneider, relating to property assessments.

HB 61, introduced by Representatives Nolte, Scharnhorst, Schad, Allen and Schneider, relating to the minimum wage.

HB 62, introduced by Representatives Nolte, Scharnhorst, Schad, Allen and Schneider, relating to possible deportation of aliens who are listed in the state sexual offender registry.

HB 63, introduced by Representative Curls, relating to sale of cigarettes.

HB 64, introduced by Representative Curls, relating to lost and unclaimed property.

HB 65, introduced by Representative Curls, relating to the shock time for felony probationers program.

HB 66, introduced by Representative Curls, relating to sentences under dual jurisdiction.

HB 67, introduced by Representative Scharnhorst, relating to the licensing of tanning facilities.

HB 68, introduced by Representative Scharnhorst, relating to misuse of emergency telephone service.

HB 69, introduced by Representatives Jones (89), Wallingford, Lasater, Nasheed, Higdon, Fuhr and Meadows, relating to special license plates for police chaplains.

HB 70, introduced by Representatives Phillips, Rowland and Elmer, relating to county highway commissions.

HB 71, introduced by Representatives Nasheed, Tilley, Jones (63), Talboy, Carter and Diehl, relating to the St. Louis police force.

HB 72, introduced by Representative Torpey, relating to conflicts of interest for legislators.

HB 73, introduced by Representatives Brandom, Leach, Tilley, Lichtenegger, McCaherty, Houghton, Molendorp, Guernsey, Fitzwater, Cross, Brown (85), Day, Wright, Wallingford, Cox, Ruzicka, Lant, Burlison, Cookson, Entlicher, Klippenstein, Redmon, Allen, Parkinson, Lauer, Crawford, Flanigan, Denison, Wells, Dugger, Hoskins, Faith, Korman, Higdon, Franz, Schneider, Jones (117), Richardson, Shumake, Brown (116), Sater, Bahr, Hinson, Loehner, Schad, Gatschenberger, McGhee, Hough, Fraker, Conway (14), Nance, Schoeller, Solon, Fisher, Long, Koenig, Riddle, Jones (89), Pollock, Smith (150), Brattin, Kelley (126), Berry, Neth, Cierpiot, Torpey, Wieland, Dieckhaus, Schatz, Funderburk, Nolte, Diehl, Hampton, Reiboldt, White, Davis, Phillips, Rowland, Haefner, Wyatt, Lair, Asbury, Keeney, Thomson and Zerr, relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

HB 74, introduced by Representatives Curls, Carter and Nasheed, relating to eligibility for food stamps.

HB 75, introduced by Representatives Curls and Nasheed, relating to petitions to expunge certain criminal records.

HB 76, introduced by Representatives Nolte, Fisher, Koenig, Zerr and Allen, relating to the corporate franchise tax.

HB 77, introduced by Representatives Nolte, Fisher, Koenig, Zerr and Allen, relating to the phase-out of the corporate franchise tax.

HB 78, introduced by Representatives Nolte, Fisher, Zerr and Allen, relating to an exemption of business income from income tax.

HB 79, introduced by Representatives Nolte, Fisher, Neth, Kelly (24), Zerr, Day and Allen, relating to military medallions, medals, and certificates.

HB 80, introduced by Representatives Nolte and Schad, relating to tax statements.

HB 81, introduced by Representatives Nolte, Fisher, Neth, Schad, Zerr and Allen, relating to sales and use tax exemptions.

HB 82, introduced by Representatives Nolte, Fisher, Korman, Koenig, Schad, Kelly (24), Zerr and Allen, relating to the renewable energy standard.

HB 83, introduced by Representatives Nolte, Zerr and Allen, relating to international transactions.

HB 84, introduced by Representative McGhee, relating to the Missouri state park board.

HB 85, introduced by Representative McGhee, relating to a tax credit for processed biomass engineered fiber fuel.

HB 86, introduced by Representative McGhee, relating to certain parties being allowed to prosecute their claims and defenses without the assistance of an attorney.

HB 87, introduced by Representative McGhee, relating to pay increases for noncustody employees of certain divisions of the department of corrections.

HB 88, introduced by Representative Gatschenberger, relating to public administrators.

HB 89, introduced by Representatives Pollock, Denison and Wells, relating to the Missouri clean water law.

HB 90, introduced by Representative Scharnhorst, relating to political subdivisions.

HB 91, introduced by Representative Nolte, relating to workers' compensation.

HB 92, introduced by Representative Molendorp, relating to the procurement of construction by the design-build method by school districts.

HB 93, introduced by Representative Shively, relating to text messaging while operating a motor vehicle.

HB 94, introduced by Representatives Dugger, Wells, Fisher, Faith, Fraker, Franz, Pollock, Lichtenenegger, Reiboldt, Entlicher, Crawford, Cookson and Gatschenberger, relating to dog breeders.

HB 95, introduced by Representative Dugger, relating to nonpartisan elections.

HB 96, introduced by Representative Flanigan, relating to recycling companies that convert animal parts into petroleum.

HB 97, introduced by Representative Ruzicka, relating to the extension of water fees.

HB 98, introduced by Representative Ruzicka, relating to environmental control.

HB 99, introduced by Representatives Loehner, Reiboldt, Schieffer, Rowland, Hinson, Fisher, Phillips, Nance, Fitzwater, Dugger and Schad, relating to the puppy mill cruelty prevention act.

HB 100, introduced by Representatives Loehner, Reiboldt, Schieffer, Rowland, Hinson, Fisher, Phillips, Nance, Fitzwater, Smith (150), Dugger and Schad, relating to the right to raise domesticated animals.

HB 101, introduced by Representative Loehner, relating to the tasting of liquor.

HB 102, introduced by Representatives Nance, Sifton, Gatschenberger, Nolte, Nasheed, Day, Rowland, Schad, Zerr, Neth and Kirkton, relating to the Missouri homestead preservation act.

HB 103, introduced by Representatives Nance and Nolte, relating to forestry management.

HB 104, introduced by Representatives Nance and Gatschenberger, relating to red light traffic violations.

HB 105, introduced by Representatives Nance, Gatschenberger, Nolte and Rowland, relating to fines and court costs for traffic violations.

HB 106, introduced by Representative Sater, relating to sheltered workshop boards.

HB 107, introduced by Representatives Smith (150), Brandom, Fitzwater, Dugger and Hinson, relating to vacancies in certain statewide offices.

HB 108, introduced by Representative Smith (150), relating to campaign finance.

HB 109, introduced by Representatives Wells, Pollock, Sater, Faith, Denison, Flanigan, Schneider, Franz, Fraker, Molendorp, Brandom, Hough, Hoskins, Smith (150), Brattin, Nance, Kelley (126), Higdon, Loehner, Dugger, Guernsey, Lair, McGhee, Ruzicka, Gatschenberger, Schad, Black, Tilley, Neth, Still, Rowland, Cookson, Zerr, Crawford, Entlicher, Scharnhorst, Franklin and Taylor relating to linked deposits.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 2**.

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-sixth General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem.....	Robert N. Mayer
Secretary of Senate.....	Terry L. Spieler
Sergeant-at-Arms.....	Bill Smith
Doorkeeper.....	Ken Holman

COMMITTEE ASSIGNMENTS

ADMINISTRATION AND ACCOUNTS

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Cole McNary, Vice Chair

Ron Casey

Joe Fallert

Tim Jones

Paul Quinn

Shane Schoeller

Jason Smith

Steve Tilley

Anne Zerr

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Kent Hampton, Vice Chair

Mike Bernskoetter

Linda Black

John Cauthorn

Sandy Crawford

Barney Fisher

Steve Hodges

Jay Houghton

Chris Kelly

Don Ruzicka

Ed Schieffer

Lindell Shumake
Sylvester Taylor
Zachary Wyatt

AGRICULTURE POLICY

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Joe Aull
Tony Dugger
Sue Entlicher
Paul Fitzwater
Delus Johnson
Glen Klippenstein
Bob Nance
Paul Quinn
Ed Schieffer
Tom Shively
Terry Swinger
Billy Pat Wright

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John Cauthorn, Chair

Lincoln Hough, Vice Chair
Randy Asbury
Casey Guernsey
Ben Harris
Bart Korman
Tom Loehner
Paul Quinn
Craig Redmon
Bill Reiboldt
Tom Shively
Rochelle Walton Gray

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Lyle Rowland, Vice Chair
Scott Dieckhaus
Diane Franklin
Steve Hodges
Mike Kelley
Melissa Leach
Genise Montecillo
Tommie Pierson

Craig Redmon
Mary Still
Mike Thomson

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Cloria Brown
Pat Conway
Chuck Gatschenberger
Kent Hampton
Leonard Hughes
Jacob Hummel
Nick Marshall
Dave Schatz
Steve Webb
Billy Pat Wright

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Donna Lichtenegger, Vice Chair
Sue Allen
Bert Atkins
Shalonn “Kiki” Curls
Paul Curtman
Rory Ellinger
Diane Franklin
Jeff Grisamore
Jeanne Kirkton
Bill White
Anne Zerr

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Chris Kelly, Chair

Gary Fuhr, Vice Chair
Michael Brown
Wanda Brown
Paul Fitzwater
Galen Higdon
Penny Hubbard
Brent Lasater
Mary Nichols

Sheila Solon
Noel Torpey
Wayne Wallingford

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Denny Hoskins, Chair

Thomas Long, Vice Chair
Kurt Bahr
Sandy Crawford
Kevin Elmer
Dave Hinson
Delus Johnson
Jason Kander
Bart Korman
Michele Kratky
Bill Lant
Sharon Pace
Ed Schieffer
Jill Schupp
Bill White

BUDGET

Ryan Silvey, Chair

Rick Stream, Vice Chair
Sue Allen
Randy Asbury
Eric Burlison
Chris Carter
John Cauthorn
Shalonn “Kiki” Curls
Sally Faith
Tom Flanigan
Jeff Grisamore
Casey Guernsey
Marsha Haefner
Denny Hoskins
Leonard Hughes
Jason Kander
Shelley Keeney
Chris Kelly
Jeanne Kirkton
Mike Lair
Sara Lampe
Jamilah Nasheed
Mark Parkinson

John Rizzo
David Sater
Dwight Scharnhorst
Dave Schatz
Tom Shively
Mike Thomson

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Rick Brattin
Cloria Brown
Rory Ellinger
Andrew Koenig
Melissa Leach
Mike McGhee
Stacey Newman
Jeanette Oxford
Churie Spreng

CORRECTIONS

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Paul Fitzwater, Vice Chair
Ellen Brandom
Rick Brattin
Ron Casey
Kathie Conway
Penny Hubbard
Shelley Keeney
Melissa Leach
Mike McGhee
Paul Quinn

CRIME PREVENTION AND PUBLIC SAFETY

Rodney Schad, Chair
Nick Marshall, Vice Chair
Mike Cierpiot
Mike Colona
Kathie Conway
Gary Fuhr
Galen Higdon
Dave Hinson
Brent Lasater

Eileen McGeoghegan
Sharon Pace
Jean Peters-Baker
Don Phillips
Bill Reiboldt
Rochelle Walton Gray

DOWNSIZING STATE GOVERNMENT

Cole McNary, Chair
Paul Curtman, Vice Chair
Bert Atkins
T.J. Berry
Shalonn “Kiki” Curls
Rory Ellinger
Kevin Elmer
Chuck Gatschenberger
Marsha Haefner
Jason Kander
Sara Lampe
Nick Marshall
John McCaherty
Jean Peters-Baker
Sheila Solon
Noel Torpey
Bill White

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Anne Zerr, Chair
Caleb Jones, Vice Chair
T.J. Berry
Ellen Brandom
Michael Brown
Wanda Brown
Chris Carter
Paul Curtman
John Diehl
Lyndall Fraker
Lincoln Hough
Michele Kratky
Jeanie Lauer
Mike Leara
Thomas Long
Eileen McGeoghegan
Mike McGhee
Jamilah Nasheed

Craig Redmon
John Rizzo
Dwight Scharnhorst
Ron Schieber
Vicki Schneider
Clem Smith
Jay Swearingen
Wayne Wallingford
Stephen Webber

ELECTIONS

Tony Dugger, Chair
Sue Entlicher, Vice Chair
Mike Cierpiot
Pat Conway
Stanley Cox
Joe Fallert
Don Gosen
Myron Neth
Stacey Newman
Don Wells

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Eric Burlison
Paul Fitzwater
Keith Frederick
Tishaura Jones
Sara Lampe
Cole McNary
Margo McNeil
Myron Neth
Rodney Schad
Tom Shively
Lindell Shumake
Rick Stream
Terry Swinger
Mike Thomson

EMERGING ISSUES IN ANIMAL AGRICULTURE

Billy Pat Wright, Chair

Randy Asbury, Vice Chair

Joe Aull

Linda Black

Pat Conway

Barney Fisher

Ben Harris

Tom Loehner

Myron Neth

Craig Redmon

Lyle Rowland

Don Ruzicka

ETHICS

Tim Jones, Chair

Jason Smith, Vice Chair

Pat Conway

Rory Ellinger

Gail McCann Beatty

Stacey Newman

Jeanette Oxford

Jeanie Riddle

Shane Schoeller

Steve Tilley

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Scott Largent, Vice Chair

Ellen Brandom

Wanda Brown

Sandy Crawford

Scott Dieckhaus

Shelley Keeney

Gail McCann Beatty

Jamilah Nasheed

Myron Neth

Mary Nichols

Jeanette Oxford

David Sater

Ron Schieber

Vicki Schneider

Jay Swearingen

Sylvester Taylor

FISCAL REVIEW

Rick Stream, Chair

Tom Flanigan, Vice Chair

Joe Fallert

Andrew Koenig

Tom McDonald

Mark Parkinson

Darrell Pollock

John Rizzo

Dave Schatz

Clem Smith

Noel Torpey

Don Wells

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Gary Cross

David Day

Doug Funderburk

Jay Houghton

John McCaherty

Tom McDonald

Kevin McManus

Mark Parkinson

Darrell Pollock

Dwight Scharnhorst

Jill Schupp

Scott Sifton

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Keith Frederick, Vice Chair

Diane Franklin

Marsha Haefner

Steve Hodges

Jay Houghton

Margo McNeil

Bob Nance

Sharon Pace

Terry Swinger

Wayne Wallingford

Ray Weter

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Eric Burlison, Vice Chair

Keith Frederick

Tishaura Jones

Donna Lichtenegger

Jean Peters-Baker

Don Phillips

David Sater

Ronald Schieber

Mary Still

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Wayne Wallingford, Vice Chair

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Scott Dieckhaus

Denny Hoskins

Leonard Hughes

Donna Lichtenegger

Chris Molendorp

Tommie Pierson

Todd Richardson

Jill Schupp

Mary Still

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Don Gosen, Vice Chair

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John Cauthorn

Mike Colona

Kathie Conway

Ward Franz

Penny Hubbard

Chris Molendorp

Steve Webb

Paul Wieland

Jake Zimmerman

INTERNATIONAL TRADE AND JOB CREATION

Jerry Nolte, Chair

John McCaherty, Vice Chair

T.J. Berry

Rick Brattin

Jeff Grisamore

Jason Holsman

Lincoln Hough

Shelley Keeney

Karla May

Kevin McManus

Genise Montecillo

Mark Parkinson

Scott Sifton

Sheila Solon

Zachary Wyatt

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Kevin Elmer, Vice Chair

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Susan Carlson

Mike Colona

Gary Fuhr

Galen Higdon

Jason Kander

Chris Kelly

Mike Leara

Nick Marshall

Todd Richardson

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Vicki Schneider, Vice Chair

Randy Asbury

Charlie Denison

Sue Entlicher

Dave Hinson

Jacob Hummel

Jeanie Lauer

Eileen McGeoghegan

Kevin McManus

Chris Molendorp

Jerry Nolte

Paul Quinn
John Rizzo
Sheila Solon
Sylvester Taylor
Ray Weter
Paul Wieland

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Ellen Brandom, Chair

Eric Burlison, Vice Chair
Sue Allen
Chris Carter
David Day
Kevin Elmer
Ward Franz
Keith Frederick
Caleb Jones
Bart Korman
Michele Kratky
Bill Lant
Donna Lichtenegger
Gail McCann Beatty
Mary Nichols
Vicki Schneider
Scott Sifton
Jason Smith
Jay Swearingen
Steve Webb
Don Wells

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Cloria Brown, Vice Chair
Ira Anders
Bert Atkins
Mike Lair
Genise Montecillo
Bob Nance
Jerry Nolte
Tommie Pierson
Lyle Rowland
Ray Weter
Paul Wieland

RULES

John Diehl, Chair

Doug Funderburk, Vice Chair

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Stanley Cox

David Day

Casey Guernsey

Mike Lair

Scott Largent

Jean Peters-Baker

Rodney Schad

Stephen Webber

Jake Zimmerman

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Ray Weter, Chair

Zachary Wyatt, Vice Chair

Joe Aull

Tony Dugger

Sue Entlicher

Lyndall Fraker

Kent Hampton

Ben Harris

Steve Hodges

Caleb Jones

Darrell Pollock

Terry Swinger

SMALL BUSINESS

Dwight Scharnhorst, Chair

Noel Torpey, Vice Chair

Ira Anders

Kurt Bahr

Mike Bernskoetter

T.J. Berry

Rick Brattin

Kathie Conway

Gary Cross

Shalonn “Kiki” Curls

Charlie Davis

Diane Franklin

Ben Harris

Leonard Hughes

Delus Johnson

Jeanie Lauer
Stacey Newman
Jill Schupp
Lindell Shumake
Churie Spreng
Paul Wieland

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John Diehl, Chair

Stanley Cox, Vice Chair
Michael Brown
Ron Casey
Sally Faith
Tom Flanigan
Penny Hubbard
Glen Klippenstein
Tom Loehner
Jamilah Nasheed
Todd Richardson
Jason Smith

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Doug Funderburk, Chair

Gary Cross, Vice Chair
Charlie Davis
Andrew Koenig
Jeanie Lauer
John McCaherty
Gail McCann Beatty
Margo McNeil
Jeanette Oxford
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Lindell Shumake
Bill White

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Don Phillips, Vice Chair
Ira Anders
Linda Black
Michael Brown
Steve Cookson
Charlie Denison
Joe Fallert

Jay Houghton
Delus Johnson
Michele Kratky
Brent Lasater
Tim Meadows
Jerry Nolte
Lyle Rowland
Ronald Schieber
Anne Zerr

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Charlie Denison, Chair

Sally Faith, Vice Chair
Steve Cookson
Joe Fallert
Dave Hinson
Lincoln Hough
Thomas Long
Tom McDonald
Tim Meadows
Don Phillips
Ed Schieffer
Rick Stream

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Sally Faith, Chair

Mike Cierpiot, Vice Chair
Susan Carlson
Gary Cross
Rory Ellinger
Lyndall Fraker
Bill Lant
Brent Lasater
Thomas Long
Tom McDonald
Genise Montecillo

URBAN ISSUES

Jamilah Nasheed, Chair

Don Gosen, Vice Chair
Mike Bernskoetter
Michael Brown
John Diehl
Gary Fuhr

Marsha Haefner
Mike Leara
Karla May

UTILITIES

Darrell Pollock, Chair

Dave Schatz, Vice Chair
Ira Anders
Mike Bernskoetter
Mike Cierpiot
Sandy Crawford
Charlie Davis
Charlie Denison
Tony Dugger
Ward Franz
Don Gosen
Jason Holsman
Jacob Hummel
Caleb Jones
Glen Klippenstein
Bart Korman
Sara Lampe
Jeanie Riddle
Don Ruzicka
Rodney Schad
Clem Smith
Churie Spreng
Steve Webb
Jake Zimmerman

VETERANS

David Day, Chair

Charlie Davis, Vice Chair
Bert Atkins
Kurt Bahr
Cloria Brown
Ron Casey
Pat Conway
Barney Fisher
Denny Hoskins
Scott Largent
Terry Swinger
Rochelle Walton Gray
Billy Pat Wright
Zachary Wyatt

WAYS AND MEANS

Andrew Koenig, Chair
Galen Higdon, Vice Chair
Paul Curtman
Chuck Gatschenberger
Jeff Grisamore
Mike Kelley
Jeanne Kirkton
Gail McCann Beatty
Cole McNary
Margo McNeil
Bill Reiboldt
Mary Still

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Barney Fisher, Chair
Wanda Brown, Vice Chair
Lyndall Fraker
Doug Funderburk
Kent Hampton
Mike Kelley
Glen Klippenstein
Bill Lant
Melissa Leach
Karla May
Kevin McManus
Tim Meadows
Sylvester Taylor
Stephen Webber

Aaron Holsapple, First Baptist Church, Jefferson City, Missouri, sang "The National Anthem."

The benediction was given by Msgr. Robert Kurwicki, St. Joseph Cathedral, Jefferson City, Missouri.

O Loving God, You remind us in the Sacred Scriptures that where two or three are gathered in Your Name, You are there in the midst of them.

We have felt Your powerful presence today in this House Chamber with the swearing in of a new Speaker and new members. Bless them, their staffs, their families and all the people of our state as we together begin the journey that will be this Session of the General Assembly.

Protect all who will visit and take part in the House of Representatives this year, and may our thoughts and words always be directed by the desire to serve the good of the people. Bless us as we go forth this day and give us Your peace. Amen.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 6, 2011.

COMMITTEE MEETING

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 6, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 3

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 1 through HJR 3

HOUSE BILLS FOR SECOND READING

HB 26 through HB 109

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 6, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicksi.

God is our refuge and strength, a very present help in trouble. Therefore will we not fear. (Psalm 46:1)

O God, our Almighty Father, You are the refuge and strength of Your people in every age and our refuge and our strength in this present hour in this Chamber. We pause in Your presence to offer unto You once again the devotion of our hearts.

Amid all the changes and distractions of this life, help us to rest our spirits upon those eternal foundations of truth and love which You have laid for us. Save us from unnecessary restlessness, from lasting confusion, and from perpetual movement. Draw us unto Yourself that for this moment we may be still and know that You are God.

With the assurance of Your Holy Spirit may we accept the responsibilities of this day and fulfill all our obligations with fidelity and honor. Into Your loving arms we completely commit ourselves and our State of Missouri - praying that together we may be one in You: through Jesus Christ our Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Janice Pickering.

The Journal of the first day was approved as corrected by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair

Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 001

Talboy

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 005

Carter Diehl Funderburk Hughes Kelly 24

HOUSE RESOLUTIONS

Representative Fuhr offered House Resolution No. 30 and House Resolution No. 31.
Representative Jones (89) offered House Resolution No. 38.

HOUSE RESOLUTION NO. 38

RULES OF THE HOUSE OF REPRESENTATIVES 96TH GENERAL ASSEMBLY

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.

- (ii) Introduction and first reading of House Joint Resolutions.
- (iii) Introduction and first reading of House Bills.
- (iv) Second reading of House Bills and Joint Resolutions.
- (v) Reports of regular standing committees.
- (vi) Reports of special standing committees.
- (vii) Bills, reports and other business on the table.
- (viii) House Joint Resolutions to be perfected and printed.
- (ix) House Bills to be perfected and printed.
- (x) Third reading of House Joint Resolutions.
- (xi) Third reading of House Bills.
- (xii) Messages from the Senate.
- (xiii) First reading of Senate Joint Resolutions and Senate Bills.
- (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
- (xv) Third reading of Senate Joint Resolutions.
- (xvi) Third reading of Senate Bills.
- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.

- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS

GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

**Parliamentary Rulings;
Referral to Parliamentary Committee**

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. It shall be at the Speaker's discretion whether members may speak on points of order.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. The Speaker may require a recorded vote on any motion.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All regular standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and

designate the total number of members to serve on each committee, except the minority members of each regular standing committee shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all regular standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special standing committees as he/she deems necessary. Any special standing committee shall have the authority and duties of a regular standing committee if so designated by the Speaker. The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special standing committees. The Speaker may dissolve and/or discharge the members of any conference, interim, or special standing committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

The Regular Standing Committees Enumerated

Rule 24. The regular standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Agri-Business
4. Appropriations - Agriculture and Natural Resources.
5. Appropriations - Education.
6. Appropriations - General Administration.
7. Appropriations - Health, Mental Health and Social Services.
8. Appropriations - Public Safety and Corrections.
9. Appropriations - Transportation and Economic Development.
10. Budget.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention.
14. Elections.
15. Elementary and Secondary Education.
16. Energy and Environment.
17. Ethics.
18. Financial Institutions.
19. Fiscal Review.
20. Health Care Policy.
21. Healthcare Transformation.
22. Higher Education.
23. Homeland Security.
24. International Trade and Immigration.
25. Insurance Policy.
26. Job Creation and Economic Development.
27. Judiciary.
28. Local Government.
29. Public Safety.

- 30. Real ID and Personal Privacy.
- 31. Retirement.
- 32. Rules.
- 33. Rural Community Development.
- 34. Senior Citizen Advocacy.
- 35. Small Business.
- 36. State Parks and Waterways.
- 37. Tax Reform.
- 38. Tourism.
- 39. Transportation.
- 40. Utilities.
- 41. Veterans.
- 42. Ways and Means.

Duties of the Regular Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members. The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.

(3) *Committee on Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

(4) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(5) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(6) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt,

Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(7) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(8) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(9) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(10) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Facilities Management, Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

(11) *The Committee on Conservation and Natural Resources.* The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.

(12) *The Committee on Corrections and Public Institutions.* The Committee on Corrections and Public Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

(13) *The Committee on Crime Prevention.* The Committee on Crime Prevention may consider and report upon bills and matters referred to it relating to criminal laws and law enforcement matters.

(14) *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

(15) *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

(16) *The Committee on Energy and Environment.* The Committee on Energy and Environment may consider and report upon bills and matters referred to it relating to the development, use and conservation of energy and other energy related concerns; environmental impact and pollution, including natural resources such as air, water, solid waste; recovery of natural resources of all types and by all means, including environmental impact and public health and safety as it relates to these issues.

(17) *Ethics.* The Committee on Ethics may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or

other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(18) *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions, and other financial institutions.

(19) *The Committee on Fiscal Review.* The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular or special standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion adopted by the members, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

(20) *The Committee on Health Care Policy.* The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

(21) *The Committee on Healthcare Transformation.* The Committee on Healthcare Transformation may consider and report upon bills and matters referred to it relating to the operation and regulation of hospitals, health clinics, health centers, and other facilities related to the field of health.

(22) *The Committee on Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

(23) *The Committee on Homeland Security.* The Committee on Homeland Security may consider and report upon bills and matters referred to it relating to the disaster and emergency preparation and implementation of safety and security measures for state and local governments and measures relating to cooperation between other states and the federal government.

(24) *The Committee on International Trade and Immigration.* The Committee on International Trade and Immigration may consider and report upon bills and matters referred to it relating to immigration policy of the state and the impact of non-citizen and migrant workers on the state economy and services provided by the state and local governments.

(25) *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

(26) *The Committee on Job Creation and Economic Development.* The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.

(27) *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

(28) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

(29) *The Committee on Public Safety.* The Committee on Public Safety may consider and report upon bills and matters referred to it relating to public safety and law enforcement.

(30) *The Committee on Real ID and Personal Privacy.* The Committee on Real ID and Personal Privacy may consider and report upon bills and matters referred to it relating to the protection of personal privacy and security concerns.

(31) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(32) *The Committee on Rules* (a) *Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the regular or special standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the regular or special standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Regular Standing or Special Standing Committees.*

1. Whenever a committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to

place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill "Do Pass" or "Without Recommendation", such bill shall not be subject to the automatic referral referenced in Rule 25(32)(f) 1. above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a "Do Pass" or "Without Recommendation" report from another committee.

(33) *The Committee on Rural Community Development.* The Committee on Rural Community Development may consider and report upon bills and matters referred to it relating to policies to improve communities and the quality of life of citizens located outside of metropolitan areas and larger cities of the state.

(34) *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security a health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(35) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention, and operations of small businesses in the State.

(36) *The Committee on State Parks and Waterways.* The Committee on State Parks and Waterways may consider and report upon bills and matters referred to it relating to state park facilities and grounds and rivers, lakes, and other waterways located in the state.

(37) *The Committee on Tax Reform.* The Committee on Tax Reform may consider and report upon bills and matters referred to it relating to reforming and equalizing the state tax code and it's burden on taxpayers of this state.

(38) *The Committee on Tourism.* The Committee on Tourism may consider and report upon bills and matters referred to it relating to the development and promotion of travel, tourism, recreation, the arts, and cultural affairs.

(39) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(40) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(41) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(42) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

**Duties of Committee Chair;
Committee Organization**

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be recorded by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any regular standing committee or special standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the regular standing Committee on Elections or a special standing committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

**Ethics Committee
Complaints of Ethical Misconduct**

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the

State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to regular or special standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar

Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "Do Pass" or "Without Recommendation", it shall go upon the calendar of the House.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails

to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "Do Pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "Do Pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "Do Not Pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Timing of Placement on Calendar

Rule 41. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

Bills Laid Over Informally

Rule 42. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 43. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 44. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 45. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on

the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Placing Senate Consent Bills on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 46. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. Any amendment to the amendment or substitute amendment that exceeds two 8 ½" x 11" pages in length shall be distributed prior to the time it is offered.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. It shall not be in order to offer a substitute amendment to an amendment to an amendment. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill may be withdrawn by the sponsor before amendment or decision thereon. Any amendment may be withdrawn by the sponsor before decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the appropriations bills of the state budget shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the House appropriations

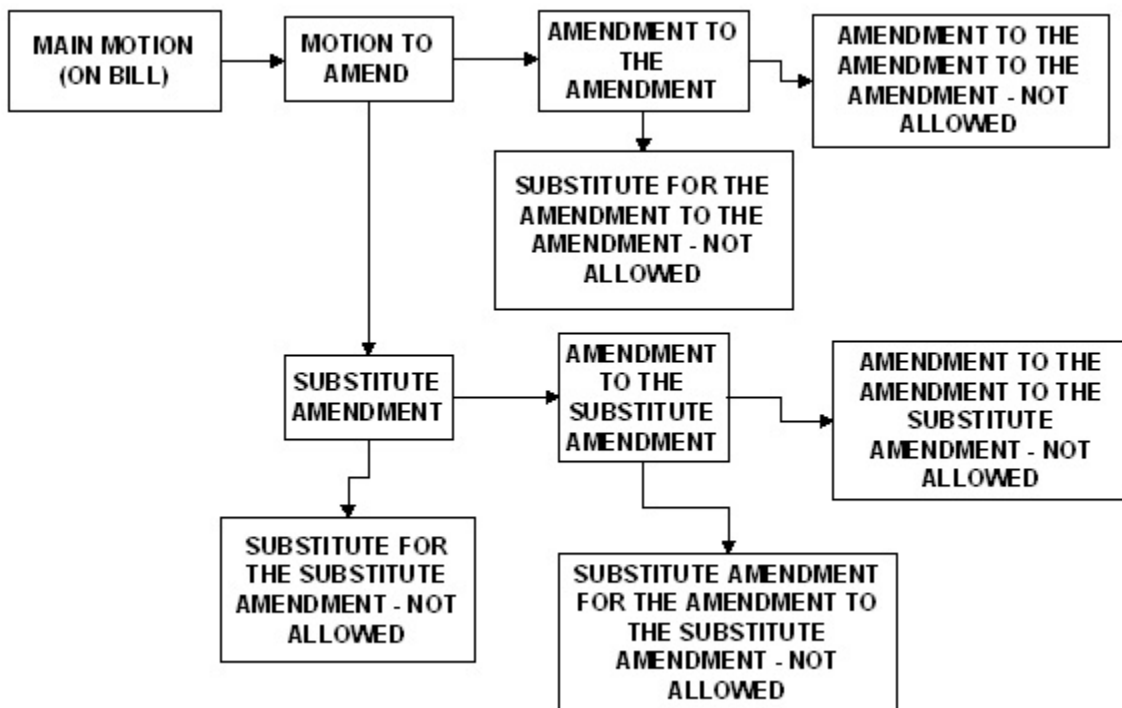
bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the House appropriations bills of the state budget only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Bill or House Committee Substitute of the state budget shall be adopted until all properly offered amendments to the first 12 House appropriations bills or substitutes have been disposed of.



Committee Substitute Printed

Rule 47. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 48. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If there is no House Committee Substitute, or if the House Committee Substitute is not adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 49. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 50. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 51. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority to Perfect

Rule 52. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments

Rule 53. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 54. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 55. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 56. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 57. (a) Signatures on a Conference Report. All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) Review for Correctness. Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) Notice Requirements. No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) Exceeding the Differences. Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 58. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 59. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

**Reference of Resolutions, etc.
Stand Referred**

Rule 60. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full.

SENATE BILLS

Referral

Rule 61. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 62. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 63. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 64. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 65. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 66. When a motion is made, it shall be stated by the Chair before being debated.

When In Possession of the House

Rule 67. When a motion is stated by the Speaker it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 68. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 69. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 70. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 71. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 72. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 70 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 73. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 74. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 75. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. No House Bill for Third Reading shall be subject to a request for a division of the question.

Indefinite Postponement

Rule 76. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 77. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 78. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

**Motion to Reconsider -
Must Be Made Within Three Days**

Rule 79. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 80. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 81. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality and derogatory personal comments. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 82. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 83. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 84. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the

question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(32).

No Member Shall Name Another Member in Debate

Rule 85. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 86. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 87. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 88. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 70.

Voting

Rule 89. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll

Members Not to Interrupt Calling of Ayes and Noes; Changing Vote

Rule 90. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 91. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 92. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 93. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 94. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 95. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries, except that members may smoke in the East Gallery.

Electronic Devices

Rule 96. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 97. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 98. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 100. All regular or special standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the regular or special standing committee, to act in place of the regular or special standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE**Names of Absentees to Be Called**

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

**Majority Not Under Arrest May Censure And Fine
Delinquent Members**

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

**Amendment to Motion Must Be
Incorporated in Original Motion**

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 112. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public.

RULES**May Be Rescinded or Amended - How**

Rule 117. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 118. Rules 70, 79 and 80 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 119. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies

of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

Representative Franz, et al., offered House Resolution No. 39.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 17 through House Resolution No. 29
House Resolution No. 32 through House Resolution No. 37
House Resolution No. 40 and House Resolution No. 41

HOUSE CONCURRENT RESOLUTION

Representative Allen offered House Concurrent Resolution No. 6.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 1 through **HJR 3** were read the second time.

SECOND READING OF HOUSE BILLS

HB 26 through **HB 109** were read the second time.

HOUSE ELECTION CONTEST

HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI

In the Matter of the)	
40th Legislative District:)	
)	
)	
Sean O'Toole)	
and)	
Will Royster,)	
Contestants/Petitioners)	No. _____
)	
v.)	
)	
John J. Rizzo,)	
Contestee/Respondent)	

NOTICE UNDER SECTION 115.567 RSMo

Petitioners Sean O'Toole and Will Royster, pursuant to Section 115.567 RSMo., state as follows:

I. Notice: The Petition styled Petition to Contest Election and Seating of John J. Rizzo ("Petition") was filed with the House of Representatives, State of Missouri, at _____ a.m./p.m. on December 29, 2010, with the Speaker of the House of Representatives.

II. Grounds for Petition: The grounds for contesting the general election conducted for the 40th Legislative District, State of Missouri, are more specifically set forth in the Petition and incorporated herein as if more fully set forth. The grounds include the following:

A. *Additional evidence* (sometimes hereafter referred to as "newly discovered evidence" or "new evidence") discovered after the appeal of an election contest (Royster v. Rizzo) was submitted to the Court of Appeals constituted irregularities that is material and of such magnitude that the trial court would have been required to order a new election had that evidence been available. The additional or new evidence is detailed in the Report of Voter Fraud (2010 40th District State Representative Race; Evidence of Voter Fraud and Voter Fraud Intent), which has been filed with the House of Representatives, is incorporated herein, and includes the following:

1. At least two and possibly as many three voters who are related by family to Rizzo and who *were not residents of the 40th Legislative District or even Jackson County*, Missouri, voted in the primary for the 40th Legislative District. These voters were residents of Clay County, Missouri. One of these voters acknowledged his Clay County residence before a television camera crew.

2. At least one voter who contributed to Rizzo's campaign, but who was not a resident of the 40th Legislative District, voted in the primary and in the general election conducted for the 40th Legislative District. This third voter resides in Lee's Summit, Missouri, which is well outside (by many miles) the geographical boundaries of the 40th Legislative District.

3. Two other voters who were listed on the Election Board's voter list voted claiming an address in the 40th Legislative District, but that same residence is listed as owned by the Jackson County Land Trust and it appears to have been abandoned, closed and boarded up at least by the date of Royster filed his Motion for the Appointment of a Special Master with the Court of Appeals.

4. Another voter used 123 Oakley, Kansas City, Jackson County, Missouri as his residence for purposes of voting in the primary, even though that residence had been vacant for three years preceding the August 3, 2010, primary and was the subject to a demolition order as of the date of the primary.

5. Another voter who was registered in the 41st Legislative District both before and after the August 3, 2010, primary voted in the primary race for the 40th Legislative District.

6. Another voter tried to, but could not, vote because she could not find her polling place which was later discovered to have been combined with a precinct that was not joined with or contiguous to the geographical boundaries of that voter's precinct. This Precinct was one of those the trial court in *Royster v. Rizzo* found was not improperly joined.

7. During the general election, the same problems with unlawful assistance (in violation of Section 115.445 RSMo.) occurred multiple times in the same precinct located in the 40th Legislative District that was involved in the *Royster v. Rizzo* contest. The details regarding this report are in the Report of Voter Fraud. On information and belief, officials of the Kansas City Board of Election Commissioners were again called out to this precinct to ascertain and correct voter activities that were occurring.

8. The illegal ballots represented by the nine or more voters above-mentioned exceed Rizzo's one vote margin of victory in the primary. This evidence would have satisfied the requirements of both Sections 115.539 and 115.549 RSMo., which means that the primary election for the 40th Legislative District did not produce a lawfully selected and qualified candidate for the November 2010 general election.

B. All evidence adduced and points made in the case styled *Royster v. Rizzo*, Case No. 1016-CV25576; WD 72947, and the legal authorities cited therein (information has been filed with the House of Representatives).

C. On the basis of the foregoing, Petitioners/Contestants state that Contestee John J. Rizzo was not a qualified candidate to run in the November 2010 general election and he is not qualified to be seated in the House of Representatives.

III. Witnesses to be examined:

1. John J. Rizzo
2. Lindee Hopkins
3. Wendy Jane Jones
4. Shawn L. Keiffer
5. Elaine Oberg
6. Billie D. Robleado
7. Adam Schieber
8. Brock Rule
9. John Moretina
10. Clara Moretina
11. Sheila Stewart
12. Chris Moreno
13. Joseph D. Cervello
14. David Raymond
15. All individuals designated by the Secretary of State, State of Missouri, to conduct the Section 115.601 RSMo. recount of votes cast in the August 3, 2010 Democrat primary for the 40th Legislative District.
16. All depositions and the trial transcript in the election contest styled *Royster v. Rizzo*, Case No. 1016-CV25576, Circuit Court of Jackson County, Missouri, have been, or will be, offered and produced as evidence.

IV. Depositions: Depositions shall commence on or before January 20, 2011, beginning at 9:00 a.m., unless otherwise agreed or changed or rescheduled by the House of Representatives. Depositions shall conform to Sections 115.569 and 115.571 RSMo., and shall be at 9800 NW Polo Drive Suite 100, Kansas City, Missouri.

Respectfully submitted,

/s/ Sean O'Toole

/s/ Will Royster

HOUSE OF REPRESENTATIVES OF THE
STATE OF MISSOURI

In the Matter of the)	
40th Legislative District:)	
)	
Sean O'Toole)	
and)	
Will Royster,)	
Contestants/Petitioners)	No. _____
v.)	
)	
John J. Rizzo,)	
Contestee/Respondent.)	

PETITION TO CONTEST ELECTION AND SEATING OF JOHN J. RIZZO

1. Contestee/ Respondent John J. Rizzo ("Rizzo") won the Democrat primary election for the 40th Legislative District conducted by the Kansas City Board of Election Commissioners on August 3, 2010 (sometimes hereafter "primary election").

2. Petitioner/Contestant Sean O'Toole is a duly qualified and registered voter of the State of Missouri, Jackson County, 40th Legislative District, and he was the successful candidate for the Libertarian Party in the August 3, 2010, primary for the 40th Legislative District (Jackson County, Missouri) (sometimes hereafter "election"), and candidate for the Libertarian Party for the 40th Legislative District in the November 2010 general election. Petitioner/Contestant Royster is a duly qualified and registered voter of the State of Missouri, Jackson County, 40th Legislative District, and he was a candidate in the Democrat August 3, 2010, primary for the 40th Legislative District.

3. The initial certification of the August 3, 2010, Democrat primary election was returned with a *three vote margin of victory* - 667 votes for Rizzo and 664 votes for Contestant/Petitioner, Will Royster ("Royster").

4. After receiving reports of irregularities concerning voting, electioneering and assistance given to voters, Royster filed an election contest in the Circuit Court of Jackson County, Missouri, in which he requested a recount under Section 115.539 RSMo. and a new election under Section 115.549 RSMo. (*Royster v. Rizzo*, Case No. 1016-CV25576, Circuit Court of Jackson County, sometime hereafter "election contest").

5. Because Rizzo's margin of victory was less than 1%, Royster also was automatically entitled to a mechanical recount of ballots. (Section 115.601 RSMo.) The recount was conducted by the Missouri Secretary of State pursuant to Royster's written letter request. This 601 recount is limited to a recounting of ballots; it is separate from and does not include the extensive review of evidence available in a recount under Section 115.539 RSMo., such as, for example, whether voters were qualified to vote, circumstances surrounding why voters failed to certify their qualifications under oath in order to vote, proper identification procedures, misconduct by election judges or voters, or other irregularities that might have affected the election.

6. The "601" ballot recount resulted in a new certification, this time with a *one vote margin of victory* – Rizzo having received 664 votes and Royster 663 votes. The 601 recounts and recertification were reported to the trial court, and it is noted in the trial court's judgment.

7. The trial court conducted the first of two hearings pursuant to Royster's election contest on September 7, 2010.

8. Upon conclusion of the second hearing held on September 14, 2010, the trial court declined to authorize either a full recount with examination of evidence as provided under Section 115.539 RSMo., or a new election under Section 115.549 RSMo.. The Court thereafter entered its amended (final) judgment. Royster immediately appealed the trial court decision to the Missouri Court of Appeals, Western District (*Royster v. Rizzo*, WD 72947).

9. On October 6, 2010, after completion of the briefing schedule, the Court of Appeals heard oral arguments, following which the case was submitted to the Court of Appeals for a decision. After the submission of the case but before the Court of Appeals rendered an opinion, Royster discovered additional (news) evidence indicating election irregularities and fraud. This new evidence, which has never been reviewed by any court, was based, in very large measure, on the Election Board's list of voters who actually voted in the primary. Royster and his campaign volunteers had requested this voters' list from the Kansas City Election Board several times beginning within days of the August 3 primary election, but the Election Board (claiming that the list was not immediately available) delivered it well after the trial and too late (as it turned out) for use at the Court of Appeals level.

10. Following receipt of the Election Board's voters list, Royster and his campaign began an investigation which included, among other efforts, comparing the names of voters on the Election Board list to the list of Rizzo's campaign contributors, securing other information from public sources, reviewing a report by a local television station which shows an interview of an individual who voted in the 40th Legislative District (Jackson County) primary but who admitted to being a resident of Clay County, Missouri, and making personal visits to locations in the 40th Legislative District allegedly designated as the home and legal residence of voters whose names were taken from the Election Board's voter list. Upon confirming the irregularities, Royster filed a Motion for the Appointment of a Special Master with the Court of Appeals in order to request the Court to appoint a special master to examine the new evidence discovered during the investigation.

11. The Court of Appeals declined to appoint a special master to hear the new evidence (because of the short time remaining before the general election) and ruled against Royster on the merits of the appeal. Included as part of the packet of evidence and information that accompanies this Petition are copies of Royster's First Amended Petition (election contest) filed at the trial level, the amended judgment of the trial court, the motion for the appointment of a special master, and the opinion of the Missouri Court of Appeals.

12. On information and belief, after Royster filed the motion for the appointment of a special master to examine the new evidence, the Kansas City Election Board conducted its own investigation into Royster's additional allegations of voter fraud. To the best knowledge and belief of Petitioners, the Election Board's investigation consisted of sending a letter of inquiry to at least one of the voters identified by Royster as a nonresident in the motion for the appointment of a special master. To date, the Kansas City Election Board has refused to respond to Royster's requests for information related to the Board's investigation.

13. The *additional evidence* (sometimes hereafter referred to as "newly discovered evidence" or "new evidence") that was discovered after the appeal was submitted to the Court of Appeals has not been adjudicated, and it constitutes irregularities that are material and are of such magnitude that, had that evidence been available, the trial court would have been required to order either a recount under Section 115.539 RSMo., and a new election. The additional or new (non-adjudicated) evidence is detailed in the Report of Voter Fraud (2010 40th District State Representative Race; Evidence of Voter Fraud and Voter Fraud Intent), which has been filed with the House of Representatives, is incorporated herein, and includes the following:

a. At least two and possibly as many three voters who are related by family to Rizzo and who *were not residents of the 40th Legislative District or even Jackson County*, Missouri, voted in the primary for the 40th Legislative District. These voters were residents of Clay County, Missouri. One of these voters acknowledged his Clay County residence before a television camera crew.

b. At least one voter who contributed to Rizzo's campaign, but who was not a resident of the 40th Legislative District, voted in the primary and in the general election conducted for the 40th Legislative District. This third voter resides in Lee's Summit, Missouri, which is well outside (by many miles) the geographical boundaries of the 40th Legislative District.

c. Two other voters who were listed on the Election Board's voter list voted claiming an address in the 40th Legislative District, but that same residence is listed as owned by the Jackson County Land Trust and it appears to have been abandoned, closed and boarded up at least by the date of Royster filed his Motion for the Appointment of a Special Master with the Court of Appeals.

d. Another voter used 123 Oakley, Kansas City, Jackson County, Missouri as his residence for purposes of voting in the primary, even though that residence had been vacant for three years preceding the August 3, 2010, primary and was the subject to a demolition order as of the date of the primary.

e. Another voter who was registered in the 41st Legislative District both before and after the August 3, 2010, primary voted in the primary race for the 40th Legislative District.

f. Another voter tried to, but could not, vote because she could not find her polling place which was later discovered to have been combined with a precinct that was not joined with or contiguous to the geographical boundaries of that voter's precinct. This Precinct was one of those the trial court in *Royster v. Rizzo* found was not improperly joined.

g. During the general election, the same problems with unlawful assistance (in violation of Section 115.445 RSMo.) occurred multiple times in the same precinct located in the 40th Legislative District that was involved in the *Royster v. Rizzo* contest. The details regarding this report are in the Report of Voter Fraud. On information and belief, officials of the Kansas City Board of Election Commissioners were again called out to this precinct to ascertain and correct voter activities that were occurring.

h. The illegal ballots represented by the nine or more voters above-mentioned exceed Rizzo's one vote margin of victory in the primary. This evidence would have satisfied the requirements of both Sections 115.539 and 115.549 RSMo., which means that the primary election for the 40th Legislative District did not produce a lawfully selected and qualified candidate for the November 2010 general election.

i. The 601 Recount that was administered did not follow Ballot Tabulation procedures according to Missouri Code of State Regulations, Division 30 - Secretary of State Chapter 10 - Voting Machines (Electronic) for the proper counting of ballots.

14. The reasons why the additional evidence of voter fraud was not discovered earlier in the proceedings are set forth in the motion of the appointment of Special Master and the written response of Royster's counsel when the Court of Appeals inquired into why the evidence was brought to light after submission of the appeal.

15. A summary of the facts developed at the trial court level (which do not include the newly discovered evidence set forth above) are set forth in Exhibit A attached hereto and incorporated herein as additional support for this Petition and for consideration by the House of Representatives when determining Rizzo's qualifications and the result and validity of his election, both at the primary and general elections. Already on file with the House of Representatives, or to be filed concurrently with the submission of this Petition, are copies of the trial transcript and briefs of all parties filed with the Court of Appeals.

16. On information and belief, (a) the Secretary of State, State of Missouri, *delegated the responsibility to conduct the 601 recount requested by Royster to one or more officials of the Kansas City Election Board of Commissioners*; (b) Royster and his designees who attended the recount were specifically and repeatedly denied the ability to challenge any ballots; (c) within two days prior to the filing this Petition and acting on reports in the news media, officials with the office of Secretary of State, State of Missouri, contacted members of Royster's campaign claiming now that Royster should have been allowed to challenge formally all ballots during the 601 primary recount; and, (d) that recount was hurriedly conducted, and Royster and his designees were repeatedly admonished that they could not challenge ballots.

LEGAL GROUNDS

17. The Missouri Constitution provides as follows:

§ 18. Appointment of officers of houses--jurisdiction to determine membership--power to make rules, punish for contempt and disorderly conduct and expel members

Each house shall appoint its own officers; shall be sole judge of the qualifications, election and returns of its own members; may determine the rules of its own proceedings, except as herein provided; may arrest and

punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions; may punish its members for disorderly conduct; and, with the concurrence of two-thirds of all members elect, may expel a member; but no member shall be expelled a second time for the same cause.

(Missouri Constitution, 1945; Article III, Section 18.)

18. The House of Representatives shall be the sole judge of the qualifications, election and returns of its own members, and the court will not intervene. *State v. Banks* (Mo.1970), 454 S.W.2d 498; The Legislative body of which he is a member has exclusive right to determine elected representative's qualifications to hold or assume office and courts are without jurisdiction to determine issue of removal of residence from district. *State v. Hickey* (Mo.), 475 S.W.2d 617. (1971)

19. Contested general elections involving a member of the House of Representatives shall be determined by the House of Representatives exclusively. Section 115.563 RSMo.

20. Neither the Contestants nor the voters were afforded a fair election, either during the primary or the general election. Practically and realistically, the primary election remains the single most important, if not the only, component to, and reason for, Rizzo's election to the House of Representative in the general election conducted in November, 2010.

Allegations regarding the New Evidence Discovered

21. The election laws violated by the voters who voted out-of-district in the August 3, 2010, primary election were mandatory statutes. Ballots cast in violation of mandatory election statutes are illegal and may not be counted. If the number of ballots declared to be illegal exceeds the margin of victory, the result of the election, and possibly the validity of the election itself, is in doubt. See Section 115.539, 115.449, and 115.593 RSMo.; *Barks v. Turnbeau*, 573 S.W. 2d 677 at 681 (Mo. App. ED 1978); *Ledbetter v. Hall*, 62 Mo. 422 (Mo. 1876); *Elliott v. Hogan*, 315 S.W.2d 840 (Mo.App. 1958).

22. Included among the mandatory statutes called into question by the *newly discovered evidence* in this matter are: (1) Sections 115.013 (21) and 115.113 RSMo. - precincts are the geographical area into which each election authority of this State must divide its jurisdiction for purposes of conducting elections, (2) Section 115.115.1 RSMo.- for each election within its jurisdiction, the election authority (the Kansas City Board of Elections) "Shall designate a polling place for each precinct within which any voter is entitled to vote at the election....@", (3) Section 115.163.3 RSMo. - the election authority "shall" send to each registered voter, a voter identification card containing the name and address of the voter, and the voters correct precinct and polling location at which the voter may vote, (4) Section 115.135 RSMo. - "Any person who is qualified to vote, ... shall be entitled to register *in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than...*" (5) Section 115.139 RSMo.- with limited exceptions pertaining to ownership of real property and absentee voters (which are not applicable here), *Any person shall be permitted to vote in any election unless the person is duly registered in accordance with this chapter.*" (6) Section 115.155 RSMo. - *voter must register using statutorily prescribed registration card on which voter states under oath the voter's correct address, township and precinct;* (7) Section 115. 430.2(3) RSMo. - *voters shall have the duty to appear and vote at the correct polling place.@"; and, (8) Section 115.430.2(1) RSMo.- if a voter refuses to go to the correct polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted if the voter was not eligible to vote at that polling place.*

23. The classification of the above statutes as mandatory and their importance to the conduct of lawful is underscored by two at least other statutes: (a) Section 115.191 RSMo. authorizes election authorities to "investigate the residence or other qualifications of any voter at any time it deems necessary"; and (b) Section 115.175 RSMo. declares that "Any person who knowingly or willfully gives any false information for the purpose of establishing his eligibility to register to vote or who conspires with another person for the purpose of encouraging his false registration or illegal vote, or who otherwise willfully and fraudulently furnishes false information to a registration official for the purpose of causing a false or fictitious registration,shall be guilty of a class one election offense." See also Section 115.631 (1) and (18) RSMo. – class one election offense, Class C felony for false statements to an election authority or for

misleading an election authority in performance of duties and registering to vote not that a person is not legally entitled to register.

24. Individually, and in combination, the statutes that govern this matter (including also those involved in the election contest) constitute a mandate: To be lawful and counted, votes must be cast by qualified, eligible and registered voters, and in the legally correct legislative district and precinct of residence; only lawful votes cast in a lawfully conducted election may be counted.

25. Missouri appellate decisions make it clear that ballots cast by non-resident voters or voters who are not otherwise qualified to vote shall not be counted:

(a) Election invalidated because unqualified voters {because of residence in the case of nine voters, and improper registration in the case of one voter who was classified as “not a legal voter” by the court} were allowed to vote in a city election (*Marre v. Reed*, 775 S.W. 2d 951 at 956-957 (Mo. 1989)).

(b) Election invalidated because the election authority inadvertently or mistakenly allowed nonresidents to vote, and denied actual residents the right to vote, in a public water supply election (*Landwersiek v. Dunivan*, 147 S.W. 3d 141 (Mo. App. S.D. 2004)).

(c) Election invalidated because illegal and improperly cast absentee ballots were counted. *Elliot v. Hogan*, 315 S.W.2d 840 (Mo.App. 1958).

Prior Judicial Proceedings – Violations of Mandatory Election Statutes

26. In addition to the newly discovered (post-appeal, non-adjudicated) evidence described specifically by paragraph above, Royster states that the House of Representatives must consider, as part of its duty to review and pass upon Rizzo’s qualification and right to be seated, the facts and evidence developed in the election contest filed by Royster (*Royster v. Rizzo*), including the trial transcript, all exhibits, pleadings, briefs of the parties filed with the trial court and the Court of Appeals, and the opinion of the Missouri Court of Appeals, all of which are incorporated herein by this reference

27. If, after such review, the House of Representatives finds independently that the evidence actually produced at the judicial trial established multiple violations of mandatory statutes (including Section 115.445 RSMo.), and that those violations resulted in the casting of unlawful ballots that exceed Rizzo’s margin of victory in the August 3 primary, or that those statutory violations otherwise disqualify Rizzo from being seated by this body, then this House of Representatives must also consider those violations, and the illegal votes cast by reason thereof, when determining the right, eligibility, qualifications of Rizzo to be seated as a member of the House of Representatives representing the 40th Legislative District. Failure to Meet Qualifications to be Seated; Primary and General Elections.

28. The violations of election statutes set forth herein, including the statutes incorporated herein from pleadings in the primary election contest, applicable statutes relating to election offenses, as well as those specifically cited herein, and the evidence in support thereof establish that there were irregularities of sufficient magnitude to cast doubt on the validity and the result of the initial (general election) and the primary election conducted by the Kansas City Board of Election Commissioners for the 40th Legislative District. Sections 115.539, 115.549 and 115.593 RSMo.

29. If the evidence of new and additional irregularities, the identity of the voters who voted in the August 3 primary and their true places of residence, and the other wrongful conduct herein set forth had been discovered in time, the August 3 primary that Rizzo won by one vote would have been declared invalid under Missouri law, a new primary election for the 40th Legislative District would have been required, and a lawfully qualified Democrat candidate for the general election would have been selected. Section 115.549 RSMo. Having secured a majority of votes by one in the original August 3 primary by and through an invalid election and violations of Missouri law, Rizzo was not, and could not be, a lawfully selected candidate qualified to run for office in the November 2010 general election. No lawfully qualified candidate won the November 2010 election for the 40th Legislative District. Rizzo, therefore, is not qualified to be seated as a duly elected member of the House of Representatives.

30. Each member of the House of Representatives, and the House as a whole, has a duty to ensure that the election laws of the State of Missouri are properly implemented and that all members of the House are lawfully elected and qualified to be seated. WHEREFORE, Petitioners/Contestants respectfully request the House of Representatives, State of Missouri, to:

- a. Conduct a full evidentiary investigation into the Democrat primary election for the 40th Legislative District conducted on August 3, 2010, including the voters who voted out-of-precinct and out-of district;
- b. Subpoena, retain, protect and preserve all records of the Kansas City Board of Election Commissioners relating to voters registered with that election authority and all records relating specifically to the August 3, 2010 primary election and the November 2010 general election, including, but not limited to, all voter registration materials, applications and affidavits that the Kansas City Election Board is required by statute to retain, and all election materials, ballots, precinct registers, tally books, ballots (whether or not cast or used), notes, internal reports, reports of investigations, reports of irregularities, voter and candidate complaints, and statements made by all voters respecting their residence and qualifications to vote;
- c. Conduct such hearings and allow such evidence as shall be deemed necessary or proper, and to accept as evidence the information supplied by Petitioners herewith, the trial transcript and deposition transcripts in *Royster v. Rizzo*, Case No. 1016-CV25576, and the briefs and motions and all other pleadings filed, and exhibits and evidence introduced, by all parties in that election contest trial and the resulting appeal to the Missouri Court of Appeals, Western District, No. WD72947, and the decisions of the trial and Court of Appeals in that case;
- d. To re-examine the evidence, exhibits and pleadings in *Royster v. Rizzo*, Case No. 1016-CV25576 for the purpose of determining the qualifications of John J. Rizzo to be seated in the House of Representatives;
- e. Find and determine that the Democrat primary election for the 40th Legislative District conducted on August 3, 2010, was invalid, void and unlawful, and that it failed to result in the election of any lawfully selected candidate qualified to run in the November 2010 general election.
- f. Refuse and decline to seat John J. Rizzo as the representative of the 40th Legislative District;
- g. Find that John J. Rizzo has not met the qualifications to serve as representative of the 40th Legislative District;
- h. Find that the irregularities set forth herein are of sufficient magnitude to cast doubt on the result and the validity of the initial (general election) conducted in November 2010, and the primary election conducted on August 3, 2010, and to take such measures as are necessary to require a new election.
- i. Give notice of this Petition to, and serve the same upon, John J. Rizzo and others as directed by statute;
- j. Allow Contestant his costs and attorney's fees and for such other relief as the House deems just and equitable.

Respectfully submitted,
/s/ Sean O'Toole
/s/ Will Royster

VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF CASS)

Will Royster, being first duly sworn upon his oath, deposes and states that he is the Contestant/Challenger/Petitioner named in the foregoing Verified Petition, and that the facts stated therein are true to the best of his knowledge and belief.

/s/ Will Royster

Subscribed and sworn to before me, a Notary Public, in and for the County and State aforesaid, this 29th day of December, 2010.

/s/ Denise R. Bowlen
Notary Public

My Commission Expires:
June 29, 2011

VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF CASS)

Sean O'Toole, being first duly sworn upon his oath, deposes and states that he is the Contestant/Challenger/Petitioner named in the foregoing Verified Petition, and that the facts stated therein are true to the best of his knowledge and belief.

/s/ Sean O'Toole

Subscribed and sworn to before me, a Notary Public, in and for the County and State aforesaid, this 29th day of December, 2010.

/s/ Denise R. Bowlen
Notary Public

My Commission Expires:
June 29, 2011

Exhibit A to
Petition to Contest Election and Seating of John J. Rizzo

SUMMARY OF FACTS FROM FIRST HEARING – September 7, 2010

Interpreters/ Escorts – unlawful assistance to voters – Section 115.445 RSMo.

1. The first witness to testify was Lindy Hobkins at the first hearing was an election judge at the Kansas City Museum. She testified that several groups of Somali voters came to the precinct, one of which consisted of three or four Somali women accompanied by a male escort (Tr. 8, lines 1-25; 9, lines 23-25; Tr. 10, lines 1-13).¹ With respect to this particular group, Hobkins stated:

¹The abbreviation "Tr." followed by a page number refers to the transcript of the trial and page number on which the referenced testimony may be found.

a. Unlike other ESL voters (English second language), the group of female Somali voters who were accompanied by the Somali escort “could not communicate on any level at all,” (Tr. 11, lines 11-13) and “stood out to me because they had absolutely not even the most basic rudimentary skills in being able to communicate in English at all....” so much so that she questioned if they were citizens (Tr. 18, Lines 1-25); that when these Somali voters could not even determine who they wanted to vote for by examining sample ballots (Tr. 11, lines 16-25), she finally ask them directly, and several times, “do you know who you want to vote for on any of the ballots.” (Tr. 12, lines 1-3).

b. At that point, the Somali interpreter, who was standing nearby, left the polling place and returned with a Rizzo campaign sign to the polling place where the judges and voters were located. (Tr. 12, lines 4-25) (Exh. 24). The interpreter then “stood in front of me and held it (Rizzo sign) up and pointed to it and said this one, this one, this one.” (Tr. 12, lines 10-25). After pointing to the Rizzo sign, the interpreter took the sign and the voters to the tables with the voting booths, where he stood and the Somali women took a seat to mark their ballots. (Tr. 13, lines 13-20).

c. Because the Rizzo sign was too unwieldy, the interpreter took the sign back to the election judges’ table, and returned to a place behind the voting tables where the Somali women were sitting (Tr. 13, lines 21-25), and “he began to point toward the (Rizzo) sign” that he had placed at the judges’ table” (Tr. 14; lines 1-4; 16-25) while he “was actually leaning into the women’s personal space,” (Tr. 14; lines 16-25; Tr. 15, Lines 1-2), and “he would go in between from pointing to Mr. Rizzo’s sign and pointing on to the ballot” for each of the Somali voters. (Tr. 15, lines 1-9). None of the Somali voters requested an affidavit (oath assistance card) to verify the need for assistance. (Tr. 15, line 10-25). When cross-examined, Hobkins said that she “tried” to determine the name of this interpreter, and whether or not he was related to the Somali voters, but could not “because he spoke no English.” (Tr. 20, lines 1-25).

2. Sean Warren, the Democrat supervisory judge at the Museum, testified that the escort “was over in each individual box (referring to booth) pointing to them and speaking their language, ... but he was directly pointing to them, instructing them basically is what it looked like.” (Tr. 25, lines 1-7).

3. Wendy Jones, who was an election judge at Garfield Elementary School on Election Day, testified that,

a. She saw two Somali men and two women escorting and leading Somali voters “inside the polling place,” where she “witnessed myself - I witnessed myself seeing them fill out the ballots. Actually fill out the ballots and actually tell the people - tell the people where to fill out at, what to sign..”, and when she confronted the escorts (interpreter), they claimed to be related to the voters, or that the voters were deaf, or blind or could not read or write ... (Tr. 53, lines 3-16), and that “These were the excuses all day long that we had for these particular four individuals (referring to the escorts) to vote with them and for them. (Tr. 53, lines 17-19).

b. Jones determined from her discussions with the interpreter/escort that not every escorted, Somali voter was related to the escort, and that some of the escorts were not related and were just from the same “tribe or village....” as the Somalis who voted. (Tr. 57, lines 1-11).

c. Some of the escorts signed the voter precinct register for the voters they escorted (Tr. 60, lines 14-25), and some of the escorts actually filled out a ballot for “maybe about eight.” (Tr. 61, lines 17-25).

d. When she decided to peak to the Democrat supervisory judge about the problems with the Somali voters and interpreters, she was told “... well look, you know, we’re just trying to get through the day, you’re making --- you know, we all want to just make a little money here and just get out, you know, just make the best of it and just --- let’s go home.” (Tr. 58, lines 12-21). That supervisory judge tried to stop the escorts, “maybe towards the end of the day, yes.” (Tr. 58, lines 21-25).

4. Elaine Oberg, the Democrat supervisory judge for Ward 11, Precinct 8, the precinct to which Jones was assigned, observed a Somali interpreter who accompanied Somali voters, “help them get registered, find their name,... help them ... pick up a ballot that they should vote on, and then he would take them back to the voting booth and they both would be in the voting booth at the same time” (Tr. 78, lines 1-9), and “He would point usually at the ballot they should take.” (Tr. 78, lines 13-17).

5. Elmer Wyatt was the Democrat supervisory election judge at the Garfield polling tables where the Somali voters appeared (Tr.148, line 9-14). He saw a Somali interpreter stand behind “about five” (5) Somali voters (Tr. 179, lines 12-21; Tr.180, lines1-7) assisting the voters. The same man returned a second time and “did the same thing” (Tr. 180, Lines 17-25), after which Wyatt became suspicious and warned the man not to return to the “poll anymore.” (Tr. 181, Line 1-7). The same man returned a third time, and Wyatt “stopped him at the door ... I didn’t let him come back into the building anymore.” (Tr. 181, lines 8-25). Wyatt also testified that the initials of two judges were placed on the ballot to validate it, that before the register is signed the voter must show identification, after which the vote is eligible to receive a ballot. (Tr. 182; 183). Wyatt also stated he made no mistakes when checking in voters, “I catch them things pretty quickly.” (Tr. 183, lines 18-25; Tr. 184).

6. Mr. Keifer, the Republican Election Board director, acknowledged that the Election Board headquarters received two calls regarding the Somali escorts (sometimes “interpreters”) on Election Day (Tr. 108, line 3-25). He personally visited Garfield after the second call and interviewed the election judges, where he learned about the interpreters from the election judges, “explained the law” to them (referring to judges) about when assistance is permitted, but did not think to remind the judges about the requirement to complete oath assistance cards. (Tr. 109, lines 8-25; Tr. 110-112). Kiefer stated that “it is the voters’ responsibility ...” to complete the oath assistance cards. (Tr.128, lines 11-25; tr. 129, lines 1-11).

Failure of voters to certify residence, sign and initial register; failure of election judges to initial ballots

7. A voter, Billie Robelado, found upon her arrival that the table for her precinct at Garfield was attended by one judge (Dora Spight), and that the ballots were unmonitored and located on the table “as far away from that judge as they could have been.” (Tr. 41; Tr. 42, lines 16; Tr. 42, lines 16-25).

8. The Republican Director of the Election Board identified at the first hearing, (a) 10 ballots without the initials of one or both election judges, six of which came from Ward 11, precincts 3 and 4 (Garfield), the precinct to which Dora Spight was assigned (Exhibits 21 A- G, and 22 and 23; Tr. 89-92; Tr. 11, lines 21-25; Tr. 101, lines1- 25), (b) a precinct map which shows the consolidated precincts that are one of the points on this appeal (Exh.10; Tr. 95); (c) the oath assistance card referred to in the election manuals and is distributed to each polling place for completion by voters needing assistance (Exh. 18; Tr. 102), and none of which were completed or used on Election Day at Garfield or the Kansas City Museum precincts where the Somali escort and interpreters appeared (Tr. 104); and, (d) the Election Board’s instruction manuals which are given to the election judges during training sessions (Exh. 7, 9, 13;Tr. 92-94), and which instruct the judges (1) that the voter must complete the Oath Assistance Card before assistance in voting can be given, (2) that “one person may not assist multiple voters, and (3) on three separate pages, that only family members, one person of the voter’s choice (subject to the one voter per election rule) and election judges may give assistance (pages 20, 22and 25). (Exh. 7, pages 20-24; Exh. 9, pages 20-25). The power point presentation (Exh13) contains a full page on the procedures, rules and restrictions that apply to assistance given to voters. Keifer agreed that election laws require “a lot of oaths..., and that they go the very heart of the election. (Tr. 108-109, line 1).

9. The Republican Director also reviewed the tally sheets for Precincts 11/4,11/ 5 and 11/6, and from that review, concluded that the failures to initial ballots were caused by judges’ mistakes. (Tr. 120-121). This review was not conducted under the supervision of the court, the parties or the attorneys. He did not interview or speak to any of the election judges when he made this conclusion.

10. One of the ballots that lacked the initials of both judges was an absentee ballot, but Mr. Keifer could not identify which judge made the mistake. (Tr. 121). All ballots cast in the primary election were commingled, and it would be impossible to identify ballots cast with assistance by the Somali interpreter. (Tr. 125, line 8-22).

Precinct consolidation

11. The Board consolidated several precincts, Ward 2, precinct 16 with Ward 2, precinct 02, and Ward 2, precincts 12 and 13 with Ward 2, Precinct 10. (Tr. 101-104).

SUMMARY OF FACTS SECOND HEARING –
Additional evidence September 14, 2010

12. At the second hearing, Mr. Keifer testified that (a) voters must sign the precinct (poll) register (Exh. 28, 29) to receive a ballot, and that the voter's "signature signified that they are --- that they are actually a registered voter at that location (precinct) which matches our books (Exh. 28,29; Tr. 161-162); (b) that the voter must initial the register to identify the correct address , and identification is required (Tr. 162, lines 4-23); (c) that election judges initial the voter's signature to verify the identity of the voter (Tr. 162, lines 24-25; Tr. 163); and (d) that the stickers placed on the register to indicate that "the two judges agree that that person who – is who they claim to be , and at that time they issue the ballot. (Tr. 165, lines 1-12).

13. There were multiple problems with the voter register of the precinct where the Somali voters were assisted. The Republican Director identified five (5) instances in which voters did not sign the register, six (6) instances in which voters did not initial the register, nine (9) instances in which the judges failed to initial the register, nine (9) instances in which no sticker was affixed to the register, and five (5) instances (one two times) in which the voters initials do not match the signatures of voters who signed for the ballots.(Tr. 164-173).

14. Keifer testified that he thought the mistakes with respect to the ballots and initials were judges' mistakes. (Tr. 174). On redirect examination, he acknowledged that he had not spoken to the precinct election judges since the election to determine why, or how it was that voters did not sign their names and place their initials on the precinct register. He said he did not know what happened. (Tr. 175).

15. The Election Board consolidated Ward 2, Precinct 16 with Ward 2, Precinct 2, and Precincts 12 and 13 in Ward 2 with Ward 2, precinct 10. (Exh.10). . *In one of these consolidated precincts, no voter voted, in any race.* (Exh. ; Precinct 2-16 in Exh.10). None of the consolidated precincts questioned by Appellant share common boundaries with the polling place (precinct) to which they were assigned. In order to vote, voters were required to travel past and through other precincts that do not adjoin the precincts of their residence. The trial court determined that the precincts were not improperly consolidated.

1. On the 6th day of October, 2010, the above-captioned matter was submitted to the Court upon oral argument by Appellant and Respondents.

2. That on September 28th , 2010, the Contestee Kansas City Board of Election Commissioners released its list of voters who voted in the August 3, 2010 primary election, which release was subsequent to Appellant submitting his Brief (September 17th), and subsequent to or near the time of said oral argument.

3. That prior to the release of the list of voters who voted in the election, the names on the voter registry was designated as confidential, together with all information on the poll registry, and was not released by the election board, and therefore there was not sufficient time to investigate and brief the Court on the findings of the review until the present.

4. That based upon a review of the recently released list of registered voters who cast votes in the August 3, 2010 Democratic primary for the 40th Legislative District, relevant and material information has become known concerning potentially irregular votes cast in the contest.

5. According to a comparison of the released voting list provided by the Kansas City Board of Elections and other public documents, including the campaign finance disclosure statements of Contestee Rizzo, certain irregularities are evident, including but not limited to the following:

a. A voter who is identified as a contributor of Contestee Rizzo's campaign with an address outside the 40th Legislative District voted in the August 3rd primary using a different address from his residence. Jackson County records demonstrate the voter as residing where the voter is designated on the Rizzo campaign records, which is not in the 40th Legislative District.

b. Two voters who were listed on the voter list voted claiming an address in the 40th Legislative District, but said residence is listed as owned by Jackson County Land Trust and appears to have been abandoned and boarded up as of the date of this Motion.

c. Three voters used the same address which does not exist, but on information and belief, one voter admitted to a local news outlet he resided out of the county.

6. That pursuant to Rule 68.03, "Each Appellate Court in which any action is pending may appoint a master therein."

7. That in the election contest, presently pending in this Court, this Court sits "in equity" and can fashion a remedy which ensures a fair election for the residents of the 40th Legislative District.

8. To assist the Court in fashioning a remedy, Appellant asks the Court to appoint a master to receive and report to the Court evidence of the actions on the part of individuals the master may find, which may further call into question the validity of the election.

9. That pursuant to Rule 68.03(d), Appellant requests the Court to exercise its powers as the Court directs in the most expeditious of matters, and report his or her findings to the Appellate Court, concerning the above allegations.

COMMITTEE APPOINTMENT

January 6, 2011

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Election Contests:

Representative Tim Jones, Chairman
Representative Tony Dugger, Vice-Chairman
Representative Jay Barnes
Representative Mike Colona
Representative Pat Conway
Representative John Diehl
Representative Sue Entlicher
Representative Tishaura Jones
Representative Stacey Newman

The Special Standing Committee on Election Contests may consider and report on all notices of election contests referred to it by the Speaker of the House.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

REFERRAL OF HOUSE ELECTION CONTEST

The following House Election Contest was referred to the Committee indicated:

HEC 1 - Special Standing Committee on Election Contests

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 38 - Rules

HR 39 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 45 - Small Business

HB 47 - General Laws

HB 73 - General Laws

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 4, introduced by Representative Flanigan, relating to the creation of the Missouri state capitol building centennial commission.

HCR 5, introduced by Representative Smith (150), relating to the Electric Utility Renewable Energy Standard Requirements.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 4, introduced by Representatives Barnes, Riddle, Bernskoetter and Richardson, relating to the citizens' commission on compensation for elected officials.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 110, introduced by Representative Zerr, relating to accreditation of vascular laboratories.

HB 111, introduced by Representative Cox, relating to the judiciary.

HB 112, introduced by Representatives Day, Dugger, Schad, Wright, Atkins, Gatschenberger, Funderburk, Keeney, Wells, Fitzwater, Fisher, Hoskins, Scharnhorst, Jones (89), Largent, Smith (150), Rowland, McCaherty, Riddle, Schatz, Tilley, Nolte and Pollock, relating to classification of certain real property.

HB 113, introduced by Representatives Day, Wright, Atkins, Wells, Fitzwater, Wallingford, Lair, Fisher, Leara, Hoskins, Gatschenberger, Scharnhorst, Funderburk, Jones (89), Keeney, Largent, Allen, Smith (150), Rowland, Schad, McCaherty, Riddle, Dieckhaus, Houghton, Curtman, Guernsey, Schatz, Tilley, Nolte and Pollock, relating to the age limit for concealed carry endorsements.

HB 114, introduced by Representatives Day, Rowland, Smith (150), Fisher, Schad, McCaherty, Largent, Higdon, Tilley and Nolte, relating to protective headgear for operation of motorcycles and motortricycles.

HB 115, introduced by Representatives Schad, Guernsey, Wells, Dugger, Nolte, Denison, Smith (150), Weter, Day, Fisher, Cox and Neth, relating to restrictions on reintroducing wild elk.

HB 116, introduced by Representatives Flanigan, Allen and Zerr, relating to amnesty for certain taxes.

HB 117, introduced by Representatives Ellinger, Newman, Still, Hummel and Colona, relating to environmentally sustainable construction for state-funded buildings.

HB 118, introduced by Representative Peters-Baker, relating to orders of protection.

HB 119, introduced by Representatives Schoeller and Pollock, relating to utilities.

HB 120, introduced by Representatives Schoeller and Pollock, relating to infrastructure replacement surcharges.

HB 121, introduced by Representatives Dugger and Entlicher, relating to elections.

HB 122, introduced by Representatives Webber and Kander, relating to the licensing of home inspectors.

HB 123, introduced by Representatives Riddle, Wyatt, Day, Lant, Richardson, Davis, White, Lichtenegger, Cookson, Jones (117), Barnes, Koenig, Korman, Schad, Dieckhaus, Phillips, Frederick, Keeney, Lair, Schatz, McCaherty, Long, Hampton, Higdon, Curtman, Gatschenberger, Brown (116), Parkinson, Elmer, Pollock, Faith, Johnson, Smith (150), Houghton, Fuhr, Fisher, Redmon, Wells, Franz and Gosen, relating to sales taxes on firearms and ammunition.

HB 124, introduced by Representatives Riddle, Pollock, Gosen, Day, Lant, Richardson, Davis, White, Lichtenegger, Cookson, Barnes, Korman, Schad, Schatz, Scharnhorst, Koenig, Higdon, Houghton, Gatschenberger, Long, Dugger, Entlicher, Parkinson, Franz, Crawford, Denison, Redmon, Bernskoetter, Webber and Holsman, relating to site development for energy generation facilities.

HB 125, introduced by Representatives Riddle, Wyatt, Day, Lant, Richardson, Davis, Lichtenegger, Jones (117), White, Cookson, Barnes, Koenig, Korman, Schad, Dieckhaus, Phillips, Keeney, Frederick, Lair, Scharnhorst, Schatz, McCaherty, Houghton, Higdon, Guernsey, Hampton, Redmon, Entlicher, Brown (116), Cross, Lauer, Long, Gatschenberger, Parkinson, Elmer, Sater, Pollock, Faith, Johnson, Smith (150), Fuhr, Fisher, Wells and Gosen, relating to the purchase of firearms.

HB 126, introduced by Representatives Barnes, Riddle, Bernskoetter and Jones (117), relating to mass layoffs of state employees.

HB 127, introduced by Representative Barnes, relating to the sheriffs' retirement system.

HB 128, introduced by Representative Barnes, relating to recovery of deposits in certain cases.

The following member's presence was noted: Diehl.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 10, 2011.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, January 5, 2011, Page 35, Line 10, by deleting the name "Shelley Keeney" and inserting in lieu thereof the name "Mike Kelley".

Page 38, Line 8, by deleting all of said line and inserting in lieu thereof the following, "**SPECIAL STANDING COMMITTEE ON REDISTRICTING**".

COMMITTEE MEETINGS

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00:00 AM.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

RULES

Monday, January 10, 2011, Hearing Room 6 Upon Afternoon Adjournment.

Public Hearing to be held on: HR 39

Executive session may be held.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 10, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 4 and HCR 5

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 4

HOUSE BILLS FOR SECOND READING

HB 110 through HB 128

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 10, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen, Grace Evangelical Church, Jefferson City, Missouri.

The Heavens will praise Your wonders, O LORD; Your faithfulness also in the assembly of the holy ones. For who in the skies is comparable to the LORD? Who among the sons of the mighty is like the LORD, A God greatly feared in the council of the holy ones, and awesome above all those who are around Him? O LORD God of hosts, who is like You, O mighty LORD? (Psalm 89:5-8a)

We give You much thanks, Father, for another day in which to be of service to You; another day to bring glory to Your Holy Name.

I pray this morning on behalf of these men and women before me asking You to grant them the wisdom they need to lead and serve the people of this great state.

Your servant, King Solomon, needed to know how to lead the kingdom You had given to him. And things have not changed in the past 3000 years. All who are in positions of leadership and authority, Father, still need wisdom from You - wisdom to govern, lead and serve so great a people.

I pray today then that You will give freely that which is needed.

Let them all know what is right, according to the Scripture You have given us.

Let them have the fortitude to do that which is right and to do it with a spirit of humility and grace.

May we all set aside own personal agendas and honor for the good of those we have been called to serve.

May we all learn to fear You and You alone.

We call upon You in this prayer. Please answer and glorify Yourself.

To the glory of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison

Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 014

Carter	Curls	Funderburk	Grisamore	Holsman
Hughes	Kander	Kelly 24	May	McCann Beatty
Nasheed	Schneider	Silvey	Zimmerman	

OATH OF OFFICE

Representative-elect Chris Kelly advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steven Tilley, Speaker of the House of Representatives.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 42 through House Resolution No. 59

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 4 and **HCR 5** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 4 was read the second time.

SECOND READING OF HOUSE BILLS

HB 110 through **HB 128** were read the second time.

COMMITTEE REPORT

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 39

WHEREAS, attorneys general from 13 states sued the federal government on March 23, 2010, claiming the landmark health care reform bill is unconstitutional. The amended complaint currently features 20 state plaintiffs, with the National Federation of Independent Business (NFIB) joining as a co-plaintiff on behalf of its members nationwide; and

WHEREAS, the lawsuit filed and joined by a total of 20 attorneys general includes and asserts:

- (1) A Commerce Clause claim;
- (2) A Tenth Amendment sovereignty violation for forcing states, among other things, to expand Medicaid coverage;
- (3) A direct tax violation for the one-size-fits all penalty if a person fails to purchase health insurance; and
- (4) A violation of Article 4, Section 4 of the United States Constitution because "the Act deprives [the States] of ... their right to a republican form of government"; and

WHEREAS, the lawsuit asks the bill be declared unconstitutional because "the Constitution nowhere authorizes the United States to mandate, either directly or under threat of penalty, that all citizens and legal residents have qualifying health care coverage"; and

WHEREAS, the lawsuit also claims the health care legislation violates the Tenth Amendment of the United States Constitution, which says the federal government has no authority beyond the powers granted to it under the Constitution, by forcing the states to carry out its provisions but not reimbursing them for the costs; and

WHEREAS, the lawsuit also asserts that the states cannot afford the new law because the health care legislation will add millions of people to state Medicaid rolls, costing some states more than one billion dollars over the next ten years in increased Medicaid expenditures; and

WHEREAS, according to an attorney representing the 20 attorneys general joining in the lawsuit, those state attorneys general "are convinced that the federal health care legislation is fundamentally flawed as a matter of constitutional law, that it exceeds the scope of proper constitutional authority of the federal government and tramples upon the rights and prerogatives of states and their citizens"; and

WHEREAS, on July 7, 2010, Missouri Lieutenant Governor Peter Kinder sued members of the Obama Administration responsible for enforcing the provisions of the federal health care reform law. The lawsuit challenges

those provisions of the federal health care reform law which actually reduce Missourians access to affordable health care and which violate the Missouri Constitution and the United States Constitution; and

WHEREAS, under the federal legislation, beginning in 2014, most Americans will be required to carry health insurance, either through an employer or government program or by purchasing it themselves. Those Americans who refuse to carry such health insurance will face penalties from the Internal Revenue Service; and

WHEREAS, an overwhelming majority of 71% of Missourians supported the passage of Proposition C in the 2010 General Election in Missouri that protects Missourians from being penalized for refusing to purchase private health insurance or infringe upon the right to offer or accept direct payment for lawful health care; and

WHEREAS, according to the National Conference of State Legislatures, at least 36 states are attempting to limit, alter, or oppose some of the federal legislation's provisions through state constitutional amendments or laws, with many of the proposals seeking to keep health insurance coverage optional for individuals and exempt employers from penalties if they don't offer coverage for workers:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby call on Missouri Attorney General Chris Koster to file an independent lawsuit or join the 20 other state attorneys general from across the nation in challenging the constitutionality and validity of the Patient Protection and Affordable Care Act, the federal health care legislation, and to aggressively defend the validity of Proposition C as voted on by the people of Missouri in the 2010 Missouri General Election; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Attorney General Chris Koster.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 129, introduced by Representative Barnes, relating to juvenile court jurisdiction.

HB 130, introduced by Representative Barnes, relating to the uniform adult guardianship and protective proceedings jurisdiction act.

HB 131, introduced by Representatives Cox, Gatschenberger, Brown (116), Cauthorn, Wells, Franz, Fisher, Houghton, Schad, Jones (117), Faith, Schieffer and Shumake, relating to the dog breeders cruelty prevention act.

HB 132, introduced by Representatives Still, Webb, McNeil, Pace, McDonald, Walton Gray, Newman, Kirkton, Spreng, Peters-Baker, Carlson, Nichols, Taylor, Ellinger, Pierson, Swearingen, Anders, McGeoghegan, McCann Beatty, Conway (27), Oxford, Black, Harris, Atkins, Shively, Schupp, Quinn, Fallert, Kratky, Lampe, Webber, Kander, Hummel, Schieffer, Aull, Sifton, Smith (71), Brown (50), Meadows, Jones (63) and Carter, relating to payday loans.

HB 133, introduced by Representatives Brandom, Jones (89), Pollock, Wells, Wallingford and Nolte, relating to workers' compensation.

HB 134, introduced by Representative Nasheed, relating to the practice of hair braiding.

HB 135, introduced by Representative Nolte, relating to the board of unemployment fund financing.

HB 136, introduced by Representative Day, relating to unemployment benefits.

HB 137, introduced by Representatives Thomson, Lair, Ruzicka, Klippenstein, Hoskins, Wallingford, Cookson, Stream, Davis, White and Lichtenegger, relating to the transfer of property by certain state universities.

HB 138, introduced by Representatives Thomson, Lair, Ruzicka, Klippenstein, Fisher, Pollock, Wells, Dugger, Hoskins, Wyatt, Smith (150), Schad, Franz, Guernsey, Fitzwater, Redmon, Cookson, Houghton, Stream, Burlison, Shumake, Flanigan, Davis, White, Lant, Brown (116), Rowland, Richardson, Hampton, Lichtenegger, Dieckhaus, Kelley (126) and Schoeller, relating to wages for work done of behalf of a school.

HB 139, introduced by Representatives Smith (150), Leach, Rieboldt, Hampton, Cookson, Flanigan, Tilley, McNary, Koenig, Redmon, Long, Houghton, Schatz, Allen, Jones (89), Bandom and Schoeller, relating to the Missouri accountability portal.

HB 140, introduced by Representatives Black, Hodges, Fallert and Casey, relating to children as passengers on certain heavy equipment.

HB 141, introduced by Representatives Black, Walton Gray, Hodges, Meadows, Fallert and Casey, relating to the heroes way interchange designation program.

HB 142, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 143, introduced by Representatives Schoeller, Burlison, Leach, Hinson, Long, Lampe, Denison and Smith (150), relating to child abuse and neglect.

HB 144, introduced by Representatives Schoeller, Burlison, Hinson, Leach, Long and Denison, relating to a tax deduction for loan payments to repair a premises damaged by flooding.

HB 145, introduced by Representatives Schoeller, Allen, Richardson, Jones (117), Bahr, Nance, White, Davis, Kelley (126), Hampton, Wright and Torpey, relating to entities receiving state funds.

HB 146, introduced by Representatives Schoeller, Richardson, Jones (117), Bahr, Nance, Lauer, Kelley (126), Hampton, Wright and Berry, relating to chiropractic services.

COMMITTEE APPOINTMENTS

January 10, 2011

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Don Gosen as Vice Chairman of the Committee on Urban Issues and appoint Representative Michael Brown.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

January 10, 2011

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jason Smith as Vice Chairman of the Ethics Committee and appoint Representative Jeanette Mott Oxford.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

January 10, 2011

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Capital Improvements and Leases Oversight:

Representative Rick Stream
Representative Mark Parkinson

Continuing to serve on this Joint Committee are:

Representative Ryan Silvey
Representative Shalonn Curls
Representative Chris Kelly

If you have any questions, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House of Representatives

January 10, 2011

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following member to serve on the Special Standing Committee on Election Contests:

Representative Chris Kelly

The Special Standing Committee on Election Contests may consider and report on all notices of election contests referred to it by the Speaker of the House.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House of Representatives

COMMUNICATION

January 5, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Mike Lair
Representative
District 7

The following members' presence was noted: Carter, Curls, Grisamore, Kander, May, McCann Beatty, Nasheed, Schneider and Silvey.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:30 a.m., Tuesday, January 11, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.
Organization Meeting, Public Testimony.

APPROPRIATIONS - EDUCATION

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.
Public Testimony (continued).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 11, 2011, 3:30 PM House Hearing Room 3.
Organizational Meeting.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 4.
Organizational Meeting.

DOWNSIZING STATE GOVERNMENT

Thursday, January 13, 2011, 8:00 AM House Hearing Room 4.
Organizational Meeting.

ECONOMIC DEVELOPMENT

Tuesday, January 11, 2011, 5:00 PM House Hearing Room 7.
Organizational Meeting.

GENERAL LAWS

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 4.
Public hearing to be held: HB 47, HB 73
Executive Session May Follow.

HEALTH CARE POLICY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 6.
Organizational Meeting Only.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM
Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

JUDICIARY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 1.
Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 12, 2011, 1:00 PM House Hearing Room 5.
Organizational Hearing.

RULES

Tuesday, January 11, 2011, 3:00 PM House Hearing Room 6.
Public hearing to be held: HR 38
Executive session may follow.

RURAL COMMUNITY DEVELOPMENT

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 1.
Organizational Meeting.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, January 13, 2011, 8:30 AM House Hearing Room 1.
Organizational Meeting - no public testimony will be taken.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 13, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 11, 2011

HOUSE BILLS FOR SECOND READING

HB 129 through HB 146

HOUSE RESOLUTIONS

HR 39, (1-10-2011) - Franz

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 11, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

"Frost and chill bless the Lord; praise and exalt Him above all forever. Ice and snow, bless the Lord; praise and exalt Him above all forever". (*Daniel 3:67-70*)

On this cold morning our thoughts and voices echo the words of the great prophet Daniel, "Frost and chill, bless the Lord; ice and snow, bless the Lord, praise and exalt Him above all forever!" We praise God for the beauty of the snow and the wonderful gift of the change of seasons that our beautiful state experiences each year.

We continue to lift up in prayer all public servants who are in danger. We recall those who have died and/or were wounded in Arizona. Give eternal rest to the dead, rapid healing for the wounded, wisdom to all medical professionals, and gratitude to all who acted rapidly to prevent more violence. Protect and watch over this House and its members, staff, and loved ones. Keep them from harm.

Finally, we recall our Missouri history on this day when in 1822 the Great Seal of the State of Missouri was adopted, and in 1865 when slavery was abolished.

We ask this as all things in God's Holy Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the third day was approved as printed.

HOUSE RESOLUTION

Representative Smith (71) offered House Resolution No. 66.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 60 through House Resolution No. 65

House Resolution No. 67 through House Resolution No. 73

HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 7.

Representative Allen offered House Concurrent Resolution No. 8.

Representative Nolte, et al., offered House Concurrent Resolution No. 10.

Representative Nolte, et al., offered House Concurrent Resolution No. 11.

SECOND READING OF HOUSE BILLS

HB 129 through **HB 146** were read the second time.

HOUSE RESOLUTION

House Resolution No. 39, relating to a federal health care lawsuit, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Resolution No. 39, Page 2, Line 40, by deleting the word "General" and inserting in lieu thereof the word "Primary"; and

Further amend said resolution, Page 2, Line 53, by deleting the word "General" and inserting in lieu thereof the word "Primary"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Frederick offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Resolution No. 39, Page 2, Line 53, by inserting after all of said line the following:

“BE IT FURTHER RESOLVED that the members of the House of Representatives call upon Governor Jay Nixon to urge Attorney General Chris Koster to join the suit filed and joined by 20 state attorneys general claiming the Patient Protection and Affordable Care Act is unconstitutional; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 2** was adopted by the following vote:

AYES: 108

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis

Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Holsman	Hughes	Neth
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Representative Curtman offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Resolution No. 39, Page 2, Lines 54 to 56, by deleting all of said lines and inserting in lieu thereof the following:

“BE IT FURTHER RESOLVED that the members of the House of Representatives hereby call on the members of the United States Congress to move forward with legislative efforts to repeal and defund the Patient Protection and Affordable Care Act that places an overwhelming burden on the economy and increasing unemployment, and in its place, pass a health care reform law that will make health care more affordable and accessible to Americans; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and each member of the Missouri Congressional Delegation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curtman, **House Amendment No. 3** was adopted by the following vote:

AYES: 114

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 046

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Conway 27	Curls	Ellinger
Fallert	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 003

Funderburk	Holsman	Hughes
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Representative Kelly (24) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Resolution No. 39, Page 1, Line 29, by deleting the following:

"Missouri Lieutenant Governor", and inserting in lieu thereof the words "private citizen".

Representative Schoeller offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Resolution No. 39, Page 1, Line 5, by inserting the words “**Missouri Lieutenant Governor, as a**” before the word “**private**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Kelly (24), **House Amendment No. 4, as amended**, was adopted.

On motion of Representative Franz, **House Resolution No. 39, as amended**, was adopted by the following vote:

AYES: 115

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 046

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Curls	Ellinger	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp

Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 002

Funderburk Hughes

COMMITTEE REPORT

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 38**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE RESOLUTION NO. 38

RULES OF THE HOUSE OF REPRESENTATIVES [95TH] **96th** GENERAL ASSEMBLY

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of regular standing committees.
 - (vi) Reports of special standing committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.
 - (x) Third reading of House Joint Resolutions.
 - (xi) Third reading of House Bills.
 - (xii) Messages from the Senate.
 - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
 - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
 - (xv) Third reading of Senate Joint Resolutions.
 - (xvi) Third reading of Senate Bills.

- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.

- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings; Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. It shall be at the Speaker's discretion whether members may speak on points of order.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. The Speaker may require a recorded vote on any motion.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and

seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All regular standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each regular standing committee shall be appointed by the Minority Floor Leader [, subject to the final approval of the Speaker]. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and [discussion] **inquiry** but shall have no vote unless they are duly appointed members of said committee. The membership of all regular standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special standing committees as he/she deems necessary. Any special standing committee shall have the authority and duties of a regular standing committee if so designated by the Speaker. The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special standing committees. The Speaker may dissolve and/or discharge the members of any conference, interim, or special standing committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

The Regular Standing Committees Enumerated

Rule 24. The regular standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Agri-Business
4. Appropriations - Agriculture and Natural Resources.
5. Appropriations - Education.
6. Appropriations - General Administration.
7. Appropriations - Health, Mental Health and Social Services.
8. Appropriations - Public Safety and Corrections.
9. Appropriations - Transportation and Economic Development.
10. Budget.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention.
14. Elections.
15. Elementary and Secondary Education.
16. Energy and Environment.
17. Ethics.
18. Financial Institutions.
19. Fiscal Review.
20. Health Care Policy.
21. Healthcare Transformation.
22. Higher Education.
23. Homeland Security.
24. International Trade and Immigration.
25. Insurance Policy.
26. Job Creation and Economic Development.
27. Judiciary.
28. Local Government.
29. Public Safety.
30. Real ID and Personal Privacy.
31. Retirement.
32. Rules.
33. Rural Community Development.
34. Senior Citizen Advocacy.
35. Small Business.
36. State Parks and Waterways.
37. Tax Reform.
38. Tourism.
39. Transportation.
40. Utilities.
41. Veterans.
42. Ways and Means.]

- 1. Administration and Accounts.**
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- 7. Appropriations - Health, Mental Health and Social Services.**
- 8. Appropriations - Public Safety and Corrections.**
- 9. Appropriations - Transportation and Economic Development.**
- 10. Budget.**

- 11. Children and Families**
- 12. Corrections.**
- 13. Crime Prevention and Public Safety.**
- 14. Downsizing State Government.**
- 15. Economic Development.**
- 16. Elections.**
- 17. Elementary and Secondary Education.**
- 18. Emerging Issues in Animal Agriculture.**
- 19. Ethics.**
- 20. Financial Institutions.**
- 21. Fiscal Review.**
- 22. General Laws.**
- 23. Health Care Policy.**
- 24. Health Insurance.**
- 25. Higher Education.**
- 26. Insurance Policy.**
- 27. International Trade and Job Creation.**
- 28. Judiciary.**
- 29. Local Government.**
- 30. Professional Registration and Licensing.**
- 31. Retirement.**
- 32. Rules.**
- 33. Rural Community Development.**
- 34. Small Business.**
- 35. Tax Reform.**
- 36. Tourism and Natural Resources.**
- 37. Transportation.**
- 38. Transportation Funding and Public Institutions.**
- 39. Urban Issues**
- 40. Utilities.**
- 41. Veterans.**
- 42. Ways and Means**
- 43. Workforce Development and Workplace Safety.**

Duties of the Regular Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members. The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.

(3) *Committee on Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

(4) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(5) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(6) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(7) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(8) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(9) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(10) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Facilities Management, Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

[(11) *The Committee on Conservation and Natural Resources*. The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.]

(11) *The Committee on Children and Families*. The Committee on Children and Families may consider and report upon bills and matters referred to it relating to the Department of Social Services, the Department of Health and Senior Services, and other matters relating to the fostering and promotion of children and families in this state.

(12) *The Committee on Corrections*[and *Public Institutions*]. The Committee on Corrections [and Public Institutions] may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, **and** the state penitentiary[, state hospitals, charitable institutions, and other state properties].

(13) *The Committee on Crime Prevention and Public Safety*. The Committee on Crime Prevention **and Public Safety** may consider and report upon bills and matters referred to it relating to criminal laws [and] , law enforcement **and public safety** matters.

(14) *The Committee on Downsizing State Government*. The Committee on Downsizing State Government may consider matters referred to it relating to reducing the size of state government and its programs.

(15) *The Committee on Economic Development*. The Committee on Economic Development may consider matters referred to it relating to commerce, industrial growth, expansion, and development.

[(14)] (16) *The Committee on Elections*. The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

[(15)] (17) *The Committee on Elementary and Secondary Education*. The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

[(16) *The Committee on Energy and Environment*. The Committee on Energy and Environment may consider and report upon bills and matters referred to it relating to the development, use and conservation of energy and other energy related concerns; environmental impact and pollution, including natural resources such as air, water, solid waste; recovery of natural resources of all types and by all means, including environmental impact and public health and safety as it relates to these issues.]

(18) *The Committee on Emerging Issues in Animal Agriculture*. The Committee on Emerging Issues in Animal Agriculture may consider matters referred to it relating to the production, processing, selling, marketing, and distribution of animals, livestock, and poultry in the agricultural industry.

[(17)] (19) *The Committee on Ethics*. The Committee on Ethics may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

[(18)] (20) *The Committee on Financial Institutions*. The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions, and other financial institutions.

[(19)] (21) *The Committee on Fiscal Review*. The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular or special standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion adopted by the members, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes

of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

(22) *The Committee on General Laws.* The Committee on General Laws may consider matters referred to it relating to general or miscellaneous issues as determined by the Speaker of the House.

[(20)] **(23) *The Committee on Health Care Policy.*** The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

[(21)] ***The Committee on Healthcare Transformation.*** The Committee on Healthcare Transformation may consider and report upon bills and matters referred to it relating to the operation and regulation of hospitals, health clinics, health centers, and other facilities related to the field of health.

(22)] (24) *The Committee on Health Insurance.* The Committee on Health Insurance may consider and report upon bills and matters referred to it relating to insurance coverage for health and medical issues.

(25) *The Committee on Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

[(23)] ***The Committee on Homeland Security.*** The Committee on Homeland Security may consider and report upon bills and matters referred to it relating to the disaster and emergency preparation and implementation of safety and security measures for state and local governments and measures relating to cooperation between other states and the federal government.

(24) *The Committee on International Trade and Immigration.* The Committee on International Trade and Immigration may consider and report upon bills and matters referred to it relating to immigration policy of the state and the impact of non-citizen and migrant workers on the state economy and services provided by the state and local governments.]

(26) *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

[(26)] ***The Committee on Job Creation and Economic Development.*** The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.]

(27) *The Committee on International Trade and Job Creation.* The Committee on International Trade and Job Creation may consider and report upon bills and matters referred to it relating to international commerce and development and the creation and retention of jobs.

(28) *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

(29) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

[(29)] ***The Committee on Public Safety.*** The Committee on Public Safety may consider and report upon bills and matters referred to it relating to public safety and law enforcement.

(30) *The Committee on Real ID and Personal Privacy.* The Committee on Real ID and Personal Privacy may consider and report upon bills and matters referred to it relating to the protection of personal privacy and security concerns.]

(30) *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the licensing of professionals in this state and consumer protection issues.

(31) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees **and senior citizen issues generally.**

(32) *The Committee on Rules* (a) *Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the regular [or special] standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the regular [or special] standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Regular Standing or Special Standing Committees.*

1. Whenever a committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.

c. Send the bill back to the originating committee **in the form as originally referred by the Speaker.**

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill "Do Pass" or "Without Recommendation", such bill shall not be subject to the automatic referral referenced in Rule 25(32)(f) 1. above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a "Do Pass" or "Without Recommendation" report from another committee.

(33) *The Committee on Rural Community Development.* The Committee on Rural Community Development may consider and report upon bills and matters referred to it relating to policies to improve communities and the quality of life of citizens located outside of metropolitan areas and larger cities of the state.

[(34)] *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security a health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(35)] (34) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention, and operations of small businesses in the State.

[(36)] *The Committee on State Parks and Waterways.* The Committee on State Parks and Waterways may consider and report upon bills and matters referred to it relating to state park facilities and grounds and rivers, lakes, and other waterways located in the state.

(37)] (35) *The Committee on Tax Reform.* The Committee on Tax Reform may consider and report upon bills and matters referred to it relating to reforming and equalizing the state tax code and it's burden on taxpayers of this state.

[(38)] (36) *The Committee on Tourism and Natural Resources.* The Committee on Tourism and Natural Resources may consider and report upon bills and matters referred to it relating to the **Department of Natural Resources, the Department of Conservation, fish and game laws of this state, preservation and protection the natural resources of this state**, development and promotion of travel, tourism, recreation, the arts, and cultural affairs.

[(39)] (37) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(38) *The Committee on Transportation Funding and Public Institutions.* **The Committee on Transportation Funding and Public Institutions may consider and report upon bills and matters referred to it relating to the funding of public and private transportation infrastructure and resources of this state and issues related to state hospitals, charitable institutions, and other state properties.**

(39) *The Committee on Urban Issues.* **The Committee on Urban Issues may consider and report upon bills and matters referred to it relating to urban and metropolitan areas of this state.**

(40) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(41) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(42) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

(43) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workforce Safety may consider and report upon bills and matters referred to it relating to employment, labor, and workplace safety.

Duties of Committee Chair;
Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider. **The motion to reconsider shall be a recorded vote.**

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all

members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be recorded by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any regular standing committee or special standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the regular standing Committee on Elections or a special standing committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee
Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to regular or special standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth
New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar

Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "Do Pass" or "Without Recommendation", it shall go upon the calendar of the House.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "Do Pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "Do Pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "Do Not Pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Timing of Placement on Calendar

Rule 41. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

Bills Laid Over Informally

Rule 42. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 43. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 44. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 45. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or [contains penalty provisions] **creates or expands a penalty provision**, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Placing Senate Consent Bills on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 46. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been **either transmitted electronically and made available on each member's chamber laptop computer or** placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. Any amendment to the

amendment or substitute amendment that exceeds two 8 ½" x 11" pages in length shall be distributed prior to the time it is offered.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. It shall not be in order to offer a substitute amendment to an amendment to an amendment. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill may be withdrawn by the sponsor before amendment or decision thereon. Any amendment may be withdrawn by the sponsor before decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

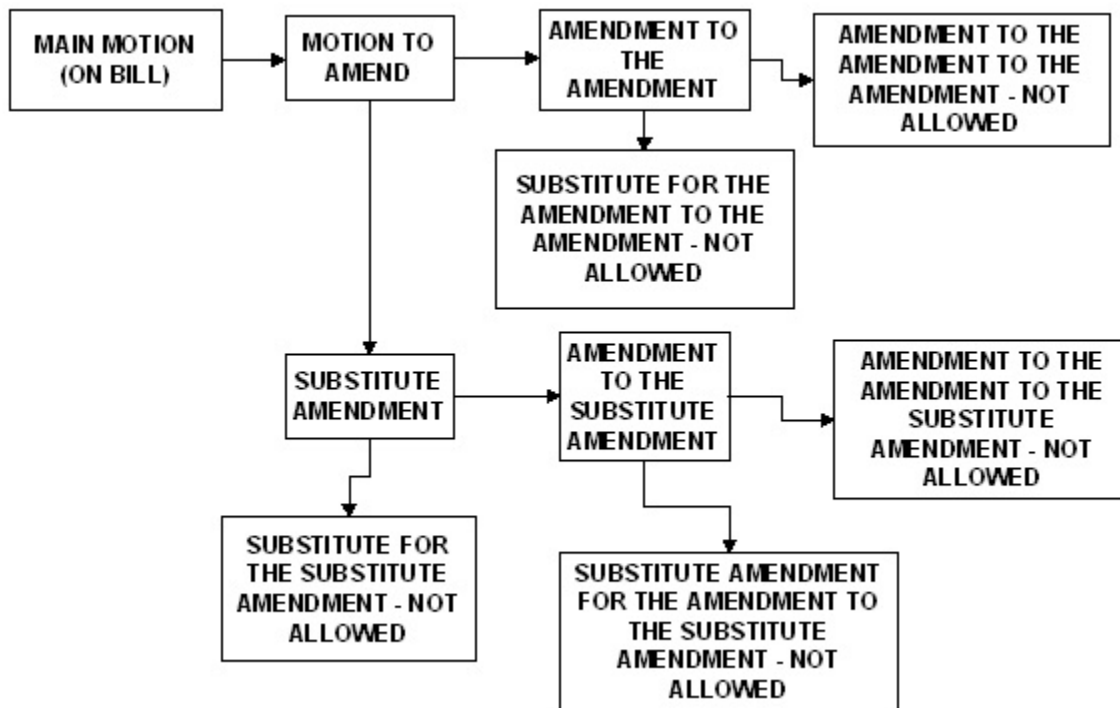
(f) *Appropriations Bills.* 1. No amendment to the appropriations bills of the state budget shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the House appropriations bills [as reported from the Committee on Budget]. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the House appropriations bills [shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or] shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in **the same bill or** any other of the bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the House appropriations bills of the state budget only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Bill or House Committee Substitute of the state budget shall be adopted until all properly offered amendments to the first 12 House appropriations bills or substitutes have been disposed of.



Committee Substitute Printed

Rule 47. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 48. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If there is no House Committee Substitute, or if the House Committee Substitute is not adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 49. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 50. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 51. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority to Perfect

Rule 52. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments

Rule 53. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 54. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 55. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 56. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be

directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 57. (a) Signatures on a Conference Report. All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) Review for Correctness. Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) Notice Requirements. No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) Exceeding the Differences. Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 58. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 59. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc.

Stand Referred

Rule 60. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full. **Joint courtesy resolutions shall be allowed if established by the rules of the Senate.**

SENATE BILLS

Referral

Rule 61. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 62. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 63. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 64. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 65. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 66. When a motion is made, it shall be stated by the Chair before being debated.

When In Possession of the House

Rule 67. When a motion is stated by the Speaker it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 68. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 69. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 70. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 71. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 72. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 70 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 73. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 74. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 75. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. [No House Bill for Third Reading shall be subject to a request for a division of the question.] **No House Bill shall be subject to a division of the question after its perfection.**

Indefinite Postponement

Rule 76. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 77. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 78. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider -
Must Be Made Within Three Days

Rule 79. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 80. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 81. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality and derogatory personal comments. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 82. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 83. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 84. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(32).

No Member Shall Name Another Member in Debate

Rule 85. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 86. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 87. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 88. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 70.

Voting

Rule 89. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll

Members Not to Interrupt Calling of Ayes and Noes;
Changing Vote

Rule 90. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 91. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 92. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 93. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 94. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 95. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries[, except that members may smoke in the East Gallery].

Electronic Devices

Rule 96. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker **and notice has been given to the body**. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 97. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 98. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 100. All regular or special standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the regular or special standing committee, to act in place of the regular or special standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine
Delinquent Members

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be
Incorporated in Original Motion

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 112. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the **Missouri Capitol News Association** [press having] **holding** valid credentials issued by the Speaker **and any other member of the press issued credentials by the Speaker**. All other upper galleries shall be open to the public.

RULES

May Be Rescinded or Amended - How

Rule 117. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 118. Rules 70, 79 and 80 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 119. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they

are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 9, introduced by Representatives Barnes, Jones (89), Richardson, Brown (85), Cross, McCaherty, Bernskoetter, Brown (116), Smith (150), Frederick, Lant, Fitzwater, Wyatt, Nance, Berry, Reiboldt, Diehl, Riddle, Elmer, Jones (117) and Cookson, relating to the calling of an amendment convention.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 147, introduced by Representatives Cauthorn, Kelly (24) and Houghton, relating to state purchasing.

HB 148, introduced by Representatives Nance, Molendorp, Meadows, Atkins, Gosen, Conway (14), Webb, Colona, Aull, Hubbard, Cauthorn, Franz, Sater, Hodges, Nolte and Barnes, relating to residential contractors.

HB 149, introduced by Representatives Day, Smith (150), Fisher, Schad, McCaherty, Largent, Cookson, Hoskins, Hinson, Swinger, Wyatt, Brown (85), White, Fuhr, Kelley (126), Molendorp, Walton Gray, Klippenstein, Houghton, Tilley, Casey, Black, Meadows, Hodges, Kelly (24), Jones (89), Silvey, Diehl, Frederick, Davis, Brattin and Lair, relating to the Missouri military family relief fund.

HB 150, introduced by Representatives Webber and Kander, relating to military leave for public employees.

HB 151, introduced by Representatives Kelly (24) and Molendorp, relating to donations to the organ donor program fund.

HB 152, introduced by Representative Kelly (24), relating to taxation.

HB 153, introduced by Representatives Black, Hodges, Fallert and Casey, relating to the designation of a highway.

HB 154, introduced by Representatives Black, Kander, Fallert and Pace, relating to sexual misconduct in the second degree.

HB 155, introduced by Representatives Black, Kander, Fallert, Casey and Pace, relating to coroner duties.

HB 156, introduced by Representatives Black, Fallert, Casey and Pace, relating to unlicensed child care providers.

HB 157, introduced by Representative Faith, relating to municipal employment contracts.

HB 158, introduced by Representative Barnes, relating to the statute of limitations for injurious falsehood.

HB 159, introduced by Representatives Brandom, Day, Rowland, Wright and Walton Gray, relating to house arrest for certain offenders.

HB 160, introduced by Representatives Brandom, Diehl, McNary and Jones (89), relating to workers' compensation.

HB 161, introduced by Representative Cox, relating to county transient guest taxes for tourism purposes.

HB 162, introduced by Representatives Fisher, Stream, Nolte, Lair, Lant, Molendorp, Brown (116), Day, Tilley, McNary, Wright and Nance, relating to workers' compensation.

HB 163, introduced by Representatives Fisher, Still, Stream, Nolte, Lair, Lant, Molendorp, Brown (116), Tilley, Lampe, Kelly (24), Kander, Wright and Nance, relating to unemployment compensation.

HB 164, introduced by Representative Franz, relating to juvenile court jurisdiction.

HB 165, introduced by Representative Franz, relating to standards for representation of children by guardians ad litem.

HB 166, introduced by Representative Brandom, relating to the designation of Native American Day in Missouri.

HB 167, introduced by Representatives Nolte, Guernsey, Day, Hampton, Fuhr, Fisher, Smith (150), Lauer, Wyatt, Solon, Ruzicka, Curtman, Kelley (126), Schad, Gatschenberger, Cox, Faith and Brown (85), relating to drivers' examinations.

HB 168, introduced by Representatives Nolte, Wyatt, Kelley (126), Gatschenberger and Cox, relating to driver's licenses of noncitizens.

HB 169, introduced by Representatives Nolte, Neth, Gatschenberger and Anders, relating to ballroom dance curriculum in public schools.

HB 170, introduced by Representatives Nolte and Hampton, relating to workers' compensation.

HB 171, introduced by Representatives Ruzicka, Sater and Franz, relating to primary elections.

HB 172, introduced by Representative Ruzicka, relating to payment of funeral services, facilities, or merchandise for public assistance recipients.

HB 173, introduced by Representatives Koenig, Molendorp, Rowland, Dugger, Hoskins, Funderburk, Burlison, Bahr, Curtman, Davis, Brattin, McNary, Cross, Reiboldt, Barnes, Lichtenegger, Long, Scharnhorst, Conway (14), Schneider, Pollock, Stream, Schad, Bernskoetter and Denison, relating to the Missouri higher education savings program.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

COMMUNICATIONS

January 11, 2011

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband, Dr. Jon Hagler, is the Director of the Missouri Department of Agriculture; and some of the legislation or amendments that I will be voting on may have an impact on our household.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this disclosure in the Journal of the House.

Sincerely,

/s/ Linda Black
State Representative
107th District

January 11, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. My husband and I are retired members of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Jeanie Riddle
Representative
District 20

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 12, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.
Executive Session May Follow.
Organization Meeting, Public Testimony.

APPROPRIATIONS - EDUCATION

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.
Public Testimony (continued).

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 5.

Organizational meeting - No public testimony will be taken.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 3.

Presentation by the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

CORRECTIONS

Wednesday, January 12, 2011, 5:00 PM House Hearing Room 1.

Organizational Meeting.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 4

Organizational Meeting.

CANCELLED

DOWNSIZING STATE GOVERNMENT

Thursday, January 13, 2011, 8:00 AM House Hearing Room 4.

Organizational Meeting.

GENERAL LAWS

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 4.

Executive Session May Follow.

Public hearing to be held: HB 47, HB 73

HEALTH CARE POLICY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 6.

Executive Session May Follow.

Organizational Meeting Only.

INSURANCE POLICY

Thursday, January 13, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Thursday, January 13, 2011, 9:00 AM House Hearing Room 5.

Approval of Annual Report.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM

Executive Session May Follow.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

JUDICIARY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 1.

Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 12, 2011, 1:00 PM House Hearing Room 5.

Organizational Hearing.

RURAL COMMUNITY DEVELOPMENT

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 1.

Organizational Meeting.

SMALL BUSINESS

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 7.

Executive Session May Follow.

Public hearing to be held: HB 45

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, January 13, 2011, 8:30 AM House Hearing Room 1.

Organizational Meeting - no public testimony will be taken.

TRANSPORTATION

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 7.

Organizational Meeting.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 13, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 12, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 9

HOUSE BILLS FOR SECOND READING

HB 147 through HB 173

HOUSE RESOLUTIONS

HCS HR 38, (1-11-11) - Jones (89)

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 12, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let your light so shine before men, that they may see your good works, and glorify your Father who is in heaven. (Matthew 5:16)

O God our Father, Who is the source of light and life, Whose glory is in all the world, without Whom no one is strong, no one is good - make us one with You as we begin this day. May our faith in You make us strong, hold us steady and keep us serene as we face the responsibilities and the tasks which confront us.

May we always know that You are with us. May we always believe that You are leading us. Amid all our differences may we be one in spirit, one in purpose, and one in good will as we give ourselves in deep devotion to the welfare of our beloved State of Missouri and for the good of all citizens. May the light of Your Spirit shine forever in our hearts.

In God's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Diehl	Hodges	Holsman	Hughes
Newman	Schneider	Zerr		

HOUSE RESOLUTION

Representative Loehner offered House Resolution No. 81.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 74 through House Resolution No. 80
House Resolution No. 82 and House Resolution No. 83

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 9 was read the second time.

SECOND READING OF HOUSE BILLS

HB 147 through **HB 173** were read the second time.

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 73** and **HB 47**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 45**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 5, introduced by Representatives Pollock, Schoeller, Wells, Denison, Thomson, Smith (150), Korman, Houghton, Burlison, Black, Entlicher, Dugger, Cookson, Klippenstein, Schatz, Davis, McCaherty, Fitzwater, Hinson, Kelley (126), Harris, Franklin, Brattin, Wyatt, White, Brown (116), Richardson, Hough, Riddle, Wright, Lichtenegger, Loehner, Weter, Keeney, Tilley, Allen, Nasheed, McGhee, Dieckhaus, Schad, Ruzicka, Lair, Fisher, Phillips, Higdon, Jones (117), Jones (89), Redmon, Crawford, Elmer, Lant, Reiboldt, Cox, Guernsey, Hoskins, Cierpiot, Schieffer, Shumake, Curls and Zerr, relating to the personal right to hunt and fish.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 174, introduced by Representatives Thomson, Wallingford, Cookson, Molendorp, Ruzicka, Lichtenegger, Richardson and Hoskins, relating to higher education governing boards.

HB 175, introduced by Representatives McNeil, Nance, Atkins, Schieffer, Nichols, Taylor, Sifton, Pace, McGhee, Curls, Carter, May, Ellinger, Oxford and Schupp, relating to senior citizens property tax relief.

HB 176, introduced by Representatives McNeil, Still, Schupp, Carlson, Ellinger, Pace, Kander, Webber, Webb, Atkins, Schieffer, Meadows and Oxford, relating to caller identification spoofing.

HB 177, introduced by Representatives McNeil, Ellinger, Pace, Carter, Webb, Schupp and Atkins, relating to automated speed enforcement systems.

HB 178, introduced by Representatives Nasheed, Carter, Colona and Curls, relating to expungement of certain criminal records.

HB 179, introduced by Representatives Nasheed, Curls, Walton Gray, Pace, Wyatt, Carter and Gatschenberger, relating to compulsory attendance for school age children.

HB 180, introduced by Representatives Nasheed, Curls, Walton Gray, Pace, Newman, Montecillo, Wyatt, Colona and Schupp, relating to voter registration information.

HB 181, introduced by Representatives Nasheed, Curls, Lichtenegger, Still, Newman, Colona, Schupp and Gatschenberger, relating to cigarette taxes.

HB 182, introduced by Representatives Walton Gray, Meadows, Pace, McCann Beatty, Hubbard, Ellinger, Oxford and Wright, relating to the designation of dress in blue for colon cancer awareness day.

HB 183, introduced by Representative Silvey, relating to police and civilian employees' retirement systems.

HB 184, introduced by Representative Dugger, relating to the compensation of road district commissioners.

HB 185, introduced by Representative Loehner, relating to the joint committee on urban agriculture.

HB 186, introduced by Representatives Entlicher, Dugger and Conway (27), relating to qualifications of clerks of county commissions.

HB 187, introduced by Representative Conway (27), relating to political party emblems on ballots.

HB 188, introduced by Representative Molendorp, relating to abatement of nuisances in certain counties.

HB 189, introduced by Representative Ruzicka, relating to possession and use of certain alcohol containers and devices on certain rivers.

HB 190, introduced by Representative Ruzicka, relating to cash transactions by the department of natural resources.

HB 191, introduced by Representative Ruzicka, relating to the state park earnings fund.

HB 192, introduced by Representative Jones (89), relating to environmental protection.

COMMUNICATION

January 12, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband is a member of the Missouri State Highway Patrol (MSHP); and some of the legislation and amendments that I will be voting on could have a direct impact on our family, in the same manner in which other similarly situated members of the MSHP are affected.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this report in the Journal of the House.

Sincerely,

/s/ Shelley Keeney
State Representative
District 156

The following members' presence was noted: Diehl, Hodges, Holsman, Newman, Schneider and Zerr.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 13, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, January 13, 2011, 8:30 AM House Hearing Room 3.
Organizational Meeting.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 4.
Organizational Meeting.
Public Testimony.

APPROPRIATIONS - EDUCATION

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.
Executive Session may be held.
Organization Meeting, Public Testimony.

APPROPRIATIONS - EDUCATION

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.
Public Testimony (continued).

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 19, 2011, 1:00 PM House Hearing Room 3.
Organizational Meeting.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 5.
Department of Mental Health overview.
May reconvene upon afternoon adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 3.

Presentation by the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 6.

Executive Session may be held.

This meeting will serve as an organizational meeting to meet members and staff.

BUDGET

Wednesday, January 19, 2011, 8:00 AM House Hearing Room 3.

Organizational Meeting.

DOWNSIZING STATE GOVERNMENT

Thursday, January 13, 2011, 8:00 AM House Hearing Room 4.

Organizational Meeting.

ECONOMIC DEVELOPMENT

Tuesday, January 18, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Department of Economic Development.

INSURANCE POLICY

Thursday, January 13, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Thursday, January 13, 2011, 9:00 AM House Hearing Room 5.

Approval of Annual Report.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, January 13, 2011, 3:15 PM House Hearing Room 1.

Executive Session may be held.

Public hearing to be held: HCS HB 45

CANCELLED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, January 13, 2011, 4:00 PM House Hearing Room 1.
Executive Session will be held: HCS HB 45, HCS HB 73 & 47

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, January 13, 2011, 8:30 AM House Hearing Room 1.
Organizational Meeting - no public testimony will be taken.

TRANSPORTATION

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 7.
Organizational Meeting.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 13, 2011, 8:00 AM House Hearing Room 7.
Organizational Meeting.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 13, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 5

HOUSE BILLS FOR SECOND READING

HB 174 through HB 192

HOUSE RESOLUTIONS

HCS HR 38, (1-11-11, Pages 104-133) - Jones (89)

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 13, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Lindell Shumake.

Dear Heavenly Father, we come this morning to say thank You for all You are and all You do for us. We ask Your special blessing upon all of us in the Capitol this day, our families, friends, and loved ones.

Please grant us grace and wisdom to serve You in such a manner that will bring glory to Your Name.

We further ask for Your Divine inspiration to address the issues of the day.

We intercede for the varying needs of each of the 163 districts in our state. Do grant us spiritual prosperity and economic security throughout our Great State of Missouri.

Do give traveling mercies to us today and the joy of the Lord which is our strength.

We thank You for all these things in Jesus' Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan

McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Hughes	Lair	Taylor	Zimmerman
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HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 84 through House Resolution No. 89

HOUSE CONCURRENT RESOLUTIONS

Representative Rowland, et al., offered House Concurrent Resolution No. 12.
 Representative Wyatt, et al., offered House Concurrent Resolution No. 13.
 Representative Jones (89), et al., offered House Concurrent Resolution No. 14.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 5 was read the second time.

SECOND READING OF HOUSE BILLS

HB 174 through **HB 192** were read the second time.

HOUSE RESOLUTION

HCS HR 38, relating to the Rules of the House of Representatives, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Resolution No. 38, Page 10, Rule 25, Line 21, by deleting the number “(26)” and inserting in lieu thereof the following: “[~~(25)~~] **26**”; and

Further amend said resolution, Page 10, Rule 25, Line 29, by deleting the number “(28)” and inserting in lieu thereof the following: “[~~(27)~~] **28**”; and

Further amend said resolution, Page 10, Rule 25, Line 33, by deleting the number “(29)” and inserting in lieu thereof the following: “[~~(28)~~] **29**”; and

Further amend said resolution, Page 10, Rule 25, Line 47, by removing the underscoring under the number “(32)”; and

Further amend said resolution, Page 12, Rule 25, Line 29, by inserting after the word “**protection**”; the word “**of**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Resolution No. 38, Page 17, Rule 46.(a), Line 42, by inserting after the words, “**each member’s chamber laptop computer**” the words, “**and a copy in paper form placed on the desk of the majority floor leader and minority floor leader**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Resolution No. 38, Page 6, Rule 24, Line 49, by removing all of said line and inserting in lieu thereof the following:

“**11. Children and Families.**”; and

Further amend said resolution, Page 7, Rule 24, Line 21, by removing all of said line and inserting in lieu thereof the following:

“**39. Urban Issues.**”; and

Further amend said page and rule, Line 24, by removing all of said line and inserting in lieu thereof the following:

“**42. Ways and Means.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

Representative Kelly (24) offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Oxford offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Resolution No. 38, Page 26, Rule 95, Line 17, by inserting after the word "Gallery]" the following:

"or any area of the Capitol under the control of the House of Representatives, including House member's offices."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Schieffer
Schupp	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	Webber

NOES: 113

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller

Shively	Shumake	Silvey	Smith 150	Solon
Spreng	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 005

Hughes	Lair	Pollock	Taylor	Zimmerman
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Representative Aull offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Resolution No. 38, Page 3, Rule 6, Line 8, by inserting at the end of said line the following:

“At the end of each morning, afternoon, and evening session, the Majority Floor Leader shall announce all bills and resolutions that will be brought up for perfection or third reading or any other consideration during the next session, in chronological order of consideration. If any bill or resolution is brought up or advanced in any other order than was previously announced, any House member may offer amendments to such bill or resolution after brought up until such time the bill or resolution is voted on.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Carlson offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Resolution No. 38, Page 18, Rule 46, Line 1, by deleting the words “length.shall” and inserting in lieu thereof the words “[length.shall] **length shall**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Carlson, **House Amendment No. 7** was adopted.

Representative Jones (63) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Resolution No. 38, Page 5, Rule 22, Line 21, by inserting after the word “committee” the following “**and each special standing committee**”; and

Further amend said rule and page, Lines 34 and 35, by placing opening “[“ and closing “]” brackets around the sentence “The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of the special standing committees.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (63) moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Webber	

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Hughes	Lair	Pollock	Schneider	Taylor
Zimmerman				

Representative Schupp offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Resolution No. 38, Page 13, Rule 27, Line 28, by inserting after said line the following:

“A bill or resolution may not be voted upon which was heard by the same committee on the same legislative day unless by unanimous consent of the members of the committee that are present.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Peters-Baker offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for House Resolution No. 38, Page 12, Rule 25, Line 25, by deleting the word “it’s” and inserting in lieu thereof the following: “[it’s] its”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Peters-Baker, **House Amendment No. 10** was adopted.

On motion of Representative Jones (89), **HCS HR 38, as amended**, was adopted by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland

Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Hughes	Lair	Loehner	Pollock	Taylor
Zimmerman				

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 5 - General Laws

HCR 9 - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 61 - International Trade and Job Creation

HB 62 - International Trade and Job Creation

HB 71 - Urban Issues

HB 76 - Tax Reform

HB 91 - Workforce Development and Workplace Safety

HB 133 - Workforce Development and Workplace Safety

HB 139 - Downsizing State Government

HB 154 - Corrections

HB 156 - Crime Prevention and Public Safety

HB 160 - Workforce Development and Workplace Safety

HB 162 - Workforce Development and Workplace Safety

HB 167 - Transportation

HB 170 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 73 & 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 6, introduced by Representatives Cierpiot, Conway (14), Cox, Pollock, Hoskins, Dieckhaus, Rowland, Cross, Bahr, Redmon and Bernskoetter, relating to guaranteeing the right to vote by secret ballot.

HJR 7, introduced by Representatives Hoskins and Largent, relating to the general assembly.

HJR 8, introduced by Representatives Koenig, Burlison, Funderburk, Davis, Brattin, Dieckhaus, McNary, Cross, Bahr, Barnes, Lichtenegger, Long, Parkinson, Pollock, Schoeller, Schneider, Schad, Jones (89), Diehl, Redmon, Fisher, White, McCaherty and Kelley (126), relating to the revenue-neutral replacement of all taxes on income with an amended sales and use tax.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 193, introduced by Representatives Diehl, Cox, Richardson, Loehner, Flanigan, Tilley, Allen, Nasheed, Hubbard, Klippenstein, Brown (50) and Casey, relating to the composition of congressional districts.

HB 194, introduced by Representative Molendorp, relating to county municipal courts.

HB 195, introduced by Representatives Koenig, Funderburk, Bahr, Davis, Reiboldt, Long, Scharnhorst, Schoeller, Conway (14), Gatschenberger, Pollock, Stream, Schad and Sater, relating to teacher academic freedom to teach scientific evidence regarding evolution.

HB 196, introduced by Representatives Jones (63), Tilley, Still, Shively, Atkins, Talboy, Peters-Baker, Schupp, Colona, Rizzo, Fallert, Ellinger, McCann Beatty, Montecillo, Taylor, Meadows, Pierson, Lampe, Newman, Oxford, McDonald, Smith (71), Schieffer, Quinn, Kirkton, Anders, McGeoghegan, McNeil, Nichols, Pace, Walton Gray, McManus, Conway (27), Webber, Kander, Hubbard, Holsman, Zimmerman, Brown (50), Casey, Kratky, Swearingen, Aull, Hummel, Sater, Carlson, Sifton, Faith, Flanigan, Weter, Cookson, Nolte, Molendorp, Carter and Zerr, relating to the Missouri Rx program.

HB 197, introduced by Representatives Jones (63), Newman, Ellinger, Curls, Still, Carter, Peters-Baker, Kirkton, Nichols, Taylor, Pierson, Wyatt, Franklin, Faith, Keeney, McCann Beatty, Pace, Oxford, Atkins, Black, McNeil, Schupp, Talboy, May, Smith (71), Brown (50), Walton Gray and Lampe, relating to cord blood banking.

HB 198, introduced by Representatives Denison, Hough, Dugger, Cox, Kelly (24), Wallingford, Korman, Bandom, Gatschenberger, Pollock, Ruzicka, Franz, Schneider, Stream, Leara, Nolte, Diehl, Shumake, Rowland, Funderburk, Hinson, Nance, Riddle, Schad, Cierpiot, Molendorp, Jones (63), Aull, McNeil, Brown (50), Swinger, Webb, Conway (27), Hodges, Quinn, Black, Kratky, McDonald, Meadows, Fallert, Casey, Schieffer, Wells, Fisher, Sater, Allen, Cauthorn, Lichtenegger, Silvey, Brown (116), Thomson, Lauer, Crawford, Elmer, White, Davis, Brattin, Wieland, Schatz, Houghton, Phillips, Grisamore, Schoeller and Day, relating to designation of Christmas Day in Missouri.

HB 199, introduced by Representatives Kelley (126), Redmon, Gatschenberger, Davis, Lant, White, Conway (14), Long, Bahr, Berry, Franklin and Frederick, relating to community service requirements for intoxication-related traffic offenses.

HB 200, introduced by Representatives Kelley (126), Redmon, Lant, Davis, White, Conway (14), Long, Bahr, Berry, Franklin and Frederick, relating to certain actions for damages against correctional facilities.

HB 201, introduced by Representative Sater, relating to MO HealthNet dental benefits.

HB 202, introduced by Representatives Hoskins, Largent, Nance, Lampe and Torpey, relating to the daily expense allowance for senators and representatives.

HB 203, introduced by Representatives Hoskins, Largent, Nance and Torpey, relating to professional therapy dogs.

HB 204, introduced by Representatives Hoskins, Largent, Wyatt, Schad, Lampe, Torpey and Jones (117), relating to driver's license renewal for military personnel.

HB 205, introduced by Representatives Elmer, Diehl, Jones (117), Richardson, Redmon, Schoeller, Barnes, Long, Nance, Rowland, Cox, Phillips, Burlison, Dieckhaus, Weter, Dugger, Smith (150), Hoskins, Riddle, Jones (89), Guernsey, Funderburk, Molendorp, McGhee, Denison, Fisher, Crawford and Keeney, relating to unlawful discriminatory practices in employment.

HB 206, introduced by Representatives Meadows, Nance, Curtman, Walton Gray, Harris, Smith (71), Atkins and Fallert, relating to illegal immigrants.

HB 207, introduced by Representatives Meadows, Nance, Curtman, Walton Gray and Harris, relating to the use of automated photo red light enforcement systems.

HB 208, introduced by Representatives Meadows, Oxford, Walton Gray, Harris and Atkins, relating to the regional taxicab commission.

HB 209, introduced by Representatives Guernsey, Klippenstein, Wyatt, Fisher, Lant, Houghton, Dugger, Riddle, Reiboldt, Berry, Schatz, Curtman, Cox, Entlicher, Lichtenegger, Ruzicka, Nolte, Hampton, Cross, Brown (85), Zerr, Hough, Sater, Schad, Barnes, Brandom, Cauthorn, Thomson, Neth, Wright, Smith (150), Largent, Conway (14), Jones (89), Flanigan, Day, Redmon, Diehl, Scharnhorst, Elmer, Parkinson, Brattin, Davis, Shumake, Rowland, Crawford, Gatschenberger, Long, Brown (116), Fraker, Cookson, Fitzwater, Keeney, Korman, Hoskins, Molendorp, Kelley (126), Gosen, Franz, Bernskoetter and Frederick, relating to private nuisances.

HB 210, introduced by Representative Moldendorp, relating to water supply districts.

HB 211, introduced by Representatives Koenig, Bahr, Curtman, Reiboldt, Lichtenegger, Long, Dugger, Smith (150), Scharnhorst, Parkinson, Nolte, Pollock, Schoeller, McNary, Conway (14), Schneider, Diehl, Stream, Schad, Sater, Denison, Fisher, Funderburk, White and Kelley (126), relating to lead abatement.

HB 212, introduced by Representatives Thomson, Hoskins and Wallingford, relating to proprietary schools.

HB 213, introduced by Representatives Jones (89), Day, Dieckhaus, Long, Barnes, Lichtenegger, Faith, Smith (150), Loehner, Bahr, Hampton, Schad, Frederick, Meadows, Allen, Lauer, Wyatt, McCaherty, Curtman, Cross, Hinson, Riddle, Korman, Nance, Pollock, Franz, Asbury, Franklin, Stream, Thomson, Koenig, Jones (117), Crawford, White, Dugger, Shumake, Davis, Burlison, Leara, Brown (85), Haefner, Kelley (126), Diehl, Bernskoetter, Molendorp, Scharnhorst, Nolte, Schneider, Ruzicka, Lant, Johnson, Fisher, Lasater, Wieland, Keeney, Schoeller, Conway (14), Gatschenberger, Silvey, Wright, Parkinson, Cox, Brandom, Cierpiot, Gosen, Wells, Largent, Funderburk, McGhee, Brattin, Reiboldt, Neth, Elmer, Richardson, Wallingford, Fitzwater, Leach, Zerr, Phillips, Fraker and Klippenstein, relating to abortion.

HB 214, introduced by Representatives Zerr, Allen, Lichtenegger, Guernsey, Entlicher, Klippenstein, Flanigan, Funderburk, Grisamore, Schieffer, Conway (14), Bahr, Jones (89), Nolte, Silvey, Day, Oxford, Black, Kratky, Kirkton, Molendorp, Kander, Leara, Dieckhaus, Parkinson, McNary, Lampe, Still, Colona, Fisher and Brown (85), relating to human trafficking.

HB 215, introduced by Representatives Gatschenberger, Fisher, Fitzwater, Bahr, Nance, Riddle, Cauthorn, Lauer, Cross, Parkinson, Schieffer, Diehl, Colona, Schad, Jones (89), Burlison, Flanigan, Denison, Nasheed, Carter, Funderburk, Meadows, Day, Smith (150), Davis, Jones (117), Richardson, Kelley (126) and Schoeller, relating to firearms.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following pursuant to **HCR 1**.

Senators: Mayer, Dempsey, Rupp, Purgason, Stouffer, Callahan, Chappelle-Nadal, Justus, Green and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following pursuant to **HCR 2**.

Senators: Mayer, Schmitt, Ridgeway, Goodman, Schaefer, McKenna, Wright-Jones, Justus, Keaveny and Chappelle-Nadal.

COMMITTEE APPOINTMENTS

January 13, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Marsha Haefner as a member of the Committee on Appropriations for Public Safety and Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

January 13, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Education:

Representative Scott Dieckhaus
Representative Mike Thomson
Representative Ira Anders

Continuing to serve on this Joint Committee are:

Representative Mike Lair
Representative Rodney Schad
Representative Joe Aull
Representative Jason Holsman

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Tuesday, January 18, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 6.
Organizational Meeting.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 4.
Organizational Meeting.
Public Testimony.

APPROPRIATIONS - EDUCATION

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.
Executive Session may be held.
Organization Meeting, Public Testimony.

APPROPRIATIONS - EDUCATION

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.
Public Testimony (continued).

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 19, 2011, 1:00 PM House Hearing Room 3.
Organizational Meeting.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 5.
Department of Mental Health overview.
May reconvene upon afternoon adjournment.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 5.
Department of Social Services overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 20, 2011, 8:00 AM House Hearing Room 3.

Department of Health and Senior Services overview.

May reconvene after morning adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 3.

Presentation by the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 6.

This meeting will serve as an organizational meeting to meet members and staff.

CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 7.

Executive Session may be held.

The committee will be hearing public testimony.

BUDGET

Wednesday, January 19, 2011, 8:00 AM House Hearing Room 3.

Organizational Meeting.

ECONOMIC DEVELOPMENT

Tuesday, January 18, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Department of Economic Development.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, January 18, 2011, House Hearing Room 1, 5:00 PM or upon afternoon adjournment.

Informational/Organizational Meeting.

FINANCIAL INSTITUTIONS

Wednesday, January 19, 2011, 5:00 PM House Hearing Room 6.

Organizational Meeting.

GENERAL LAWS

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 4.

Executive Session may be held.

Public hearing to be held on: HCR 5, HCR 9

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 19, 2011, 12:00 PM

The Missouri Division of Professional Registration Main Conference Room -
3605 Missouri Boulevard, Jefferson City, MO 65102-1335

TRANSPORTATION

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 7.

Organizational Meeting.

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 18, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 6 through HJR 8

HOUSE BILLS FOR SECOND READING

HB 193 through HB 215

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 45 - Hoskins
- 2 HCS HBs 73 & 47 - Brandom

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 18, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Enter into His gates with thanksgiving and into His courts with praise: be thankful to Him and bless His name. For the Lord is good; His mercy is everlasting; and His truth endures to all generations. (Psalm 100:4,5)

Almighty God, Ruler of the Universe, Sustainer of Life, and Creator of People, unto You do we lift our hearts in prayer and in praise. We thank You for the gift of life ever fresh from Your hand, for the blessings of home, for work to do and the strength to do it, for friendships which warm our hearts, for a nation that is free and for our faith in You which keeps us strong, holds us steady and carries us through every experience with honor.

May Your wisdom make us wise, may Your patience help us to be more patient: may Your love strengthen us to love others and may Your forgiveness help us to forgive one another.

Sustained by Your presence may we walk the paths of truth and love this day, harboring no ill will, but filled with good will growing evermore like You who have revealed Yourself. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as printed by the following vote:

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 007

Brown 50	Hodges	Hughes	Leara	Parkinson
Still	Webber			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 90 through House Resolution No. 118

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 6 through **HJR 8** were read the second time.

SECOND READING OF HOUSE BILLS

HB 193 through **HB 215** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 9, introduced by Representative Kelly (24), relating to the fifth state building fund.

HJR 10, introduced by Representatives Barnes, Dieckhaus and Jones (89), relating to educational freedom.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 216, introduced by Representative Barnes, relating to service rates of electrical corporations.

HB 217, introduced by Representatives Dugger and Entlicher, relating to electronic voter identification verification systems.

HB 218, introduced by Representative Cox, relating to compensation of senior judges and commissioners.

HB 219, introduced by Representatives Kelly (24) and Dieckhaus, relating to protecting children from sexual offenders.

HB 220, introduced by Representatives Smith (150), Schneider, Korman and Brown (116), relating to real estate licensees.

HB 221, introduced by Representatives McNary, Lair, Fisher, Dieckhaus, Diehl, Dugger, Scharnhorst, Brandom, Denison, Pollock, Wallingford, Leara, Thomson, Nance, Cross, Wieland, Allen, Nolte, Wyatt, Koenig, Jones (89), Houghton, Fuhr, Kelley (126), Flanigan, McGhee, Gatschenberger, White, Largent, Ruzicka, Johnson, Cox, Schoeller and Day, relating to workers' compensation.

HB 222, introduced by Representative Schneider, relating to assessment of newly constructed residential property.

HB 223, introduced by Representatives Wallingford, Schupp, May, Thomson, Hoskins, Brandom, Richardson, Smith (150), Lichtenegger and Frederick, relating to the caring for Missourians program.

HB 224, introduced by Representatives Allen and Brandom, relating to MO HealthNet reimbursement for services.

HB 225, introduced by Representative Brandom, relating to tobacco products.

HB 226, introduced by Representatives Richardson, Diehl, Hough, Long, Elmer, Jones (117), Barnes, Hinson, Nolte, Hampton, Fisher, Cookson, Schoeller, Smith (150) and Wallingford, relating to unemployment compensation.

HB 227, introduced by Representatives Wyatt, Franklin, Allen, Conway (14), Shumake, Redmon and Largent, relating to child support.

COMMUNICATIONS

January 18, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Mike Leara as a member of the Committee on Urban Issues and appoint Representative Eric Burlison as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

January 18, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative John Rizzo as a member of the Committee on Appropriations for Public Safety and Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Brown (50), Hodges, Parkinson, Still and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 19, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.
Public Testimony (continued).
CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 19, 2011, 1:00 PM House Hearing Room 3.
Organizational Meeting.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 5.
Department of Social Services overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 20, 2011, 8:00 AM House Hearing Room 3.
Department of Health and Senior Services overview.
May reconvene after morning adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.
Presentation by Department of Public Safety.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 7.
Executive Session may be held.
The committee will be hearing public testimony.

BUDGET

Wednesday, January 19, 2011, 8:00 AM House Hearing Room 3.
Organizational Meeting.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 19, 2011, 12:00 PM House Hearing Room 4.
Organizational Meeting.
911 Presentation by Lisa M. Schlottach, President, Missouri 911 Directors Association.

DOWNSIZING STATE GOVERNMENT

Thursday, January 20, 2011, 8:00 AM House Hearing Room 4.
Executive Session may be held.
Public hearing to be held on: HB 139

FINANCIAL INSTITUTIONS

Wednesday, January 19, 2011, 5:00 PM House Hearing Room 6.
Organizational Meeting.

FISCAL REVIEW

Thursday, January 20, 2011, 8:30 AM South Gallery.

Executive Session may be held.

Any bills referred to the committee.

HEALTH INSURANCE

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

HIGHER EDUCATION

Thursday, January 20, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 19, 2011, 12:00 PM

The Missouri Division of Professional Registration Main Conference Room -
3605 Missouri Boulevard, Jefferson City, MO 65102-1335.

TOURISM AND NATURAL RESOURCES

Thursday, January 20, 2011, 8:30 AM House Hearing Room 7.

Organizational meeting plus brief presentation by Division of Tourism.

URBAN ISSUES

Wednesday, January 19, 2011, House Hearing Room 7, 12:00 PM or upon morning adjournment.

Executive Session may be held.

Public hearing to be held on: HB 71

URBAN ISSUES

Monday, January 24, 2011, House Hearing Room 5, 5:00 PM or upon afternoon adjournment.

Executive Session may be held.

Public hearing to be held on: HB 71

CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 20, 2011, 8:00 AM House Hearing Room 1.

Executive Session may be held.

Public hearing to be held on: HB 91, HB 162

CORRECTED

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 19, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 9 and HJR 10

HOUSE BILLS FOR SECOND READING

HB 216 through HB 227

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 45 - Hoskins
- 2 HCS HBs 73 & 47 - Brandom

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 19, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In solemn truth I can see that God is no respecter of persons, but that in every nation the man who reverences Him and does what is right is acceptable to Him. (Acts 10:34)

O God, Creator of the World, Sustainer of Life and the Ruler of all Nations, in quietness and reverence we lift our hearts anew to You, praying that Your grace may cleanse us, Your power may strengthen us, and Your love develop in us greater good will. Forgive our selfishness, our narrowness, our prejudices, and our pride. Set us free from the unneeded bonds which separate us and draw us together in You as one people in spirit and in truth.

Bless our Honorable Governor who will be present in this Chamber in a few hours to deliver his State of the State address. Give him illumination to express with clarity both strength and weakness of these times in which we live. May our ears and minds be attentive and reflective to His message. We ask this in Your most Holy Name for You live and reign forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 119 through House Resolution No. 171

HOUSE CONCURRENT RESOLUTION

Representative Brown (50), et al., offered House Concurrent Resolution No. 15.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 9 and **HJR 10** were read the second time.

SECOND READING OF HOUSE BILLS

HB 216 through **HB 227** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 45, relating to small business tax relief, was taken up by Representative Hoskins.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 45, Section 143.173, Page 2, Line 7, by deleting the word, “**chapter**.”, and inserting in lieu thereof the following:

”**chapter**;

(4) “**Full-time job**”, a position in which the employee is considered full-time by the taxpayer and is required to work at least an average of thirty-six hours per week for a thirteen week period;

(5) “**Average annual county wage**”, the average wage in each county each year as determined by the Missouri Economic Research and Information Center (MERIC) or its successor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 45, Page 1, Line 5, by deleting the number, “**thirteen**” and inserting in lieu thereof the number, “**sixteen**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Hoskins, **House Amendment No. 1, as amended**, was adopted.

Representative McNeil offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 45, Section 1.310, Page 1, Lines 1-2, by deleting said lines and inserting in lieu thereof the following:

“1.310. 1. This section shall be known and may be cited as the [“Big Government Get Off My Back Act”] “**Small Business Act**”.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 45, Section 1.310, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

“1.310. 1. [This section shall be known and may be cited as the “Big Government Get Off My Back Act”].”; and

Further amend said bill, section, page, Line 3, by inserting brackets around the number, “2.”; and

Further amend said bill, section, page, Line 5, by deleting the number, “3” and inserting the number, “2”; and

Further amend said bill, section, page, Line 13, by deleting the brackets around the number, “3.” and deleting the number, “4.”; and

Further amend said bill, section, Page 2, Line 22, by deleting the brackets around the number, “4.” and deleting the number, “5.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Peters-Baker offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 45, Section 1.130, Page 1, Lines 3-5, by deleting the words, “**Any federal mandate implemented by the state shall be subject to statutory authorization of the general assembly. 3.**”; and

Further amend said bill, section, page, Line 13, by deleting the brackets around the number, “3.” and deleting the number, “4.”; and

Further amend said bill, section, Page 2, Line 22, by deleting the brackets around the number, “4.” and deleting the number, “5.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Peters-Baker moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Kirkton requested a division of the question on **HCS HB 45, as amended**.

On motion of Representative Hoskins, **Part I of HCS HB 45, as amended**, was adopted.

On motion of Representative Hoskins, **Part II of HCS HB 45** was adopted by the following vote:

AYES: 134

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Spreng	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 024

Anders	Atkins	Ellinger	Hummel	Kander
Kelly 24	May	McCann Beatty	McDonald	Montecillo
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl	Hughes	Lampe	Leara	Wright
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On motion of Representative Hoskins, **HCS HB 45, as amended**, was ordered perfected and printed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Peters-Baker	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 017

Atkins	Carlson	Ellinger	Kander	Kirkton
May	McDonald	McNeil	Oxford	Pace
Pierson	Schupp	Smith 71	Still	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 004

Hughes	Lampe	Leara	Wright
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MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Curls	Diehl	Franz	Hughes	Jones 117
Lampe	Leara	Nance	Schad	Webb
Wright				

On motion of Representative Jones (89), the House recessed until 6:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

ESCORT COMMITTEE

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 1**: Representatives Funderburk, Torpey, Dieckhaus, Korman, Scharnhorst, Parkinson, Meadows, Jones (63), Schieffer, Harris, Casey and Peters-Baker.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors, and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 30

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey
Dixon	Goodman	Green	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cunningham	Engler	Purgason
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VACANCIES: 001

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126

Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Hodges	Holsman	Hughes	Lampe
Leara	McNary	Meadows	Scharnhorst	Wright

The Doorkeeper announced the approach of the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

**STATE OF THE STATE
ADDRESS BY
GOVERNOR JEREMIAH W. (JAY) NIXON**

Thank you, Legislative Leaders; Judges of the Missouri Supreme Court; Lieutenant Governor Kinder; state officials; members of the General Assembly; members of my cabinet; and my fellow Missourians.

I'd like to thank my wife Georganne, and our sons, Jeremiah and Will, for their strength and support every day.

Because every day, we are reminded that the world we live in can be a dangerous place.

From Afghanistan to Arizona, there is no shortage of violence and conflict.

Fortunately, there is no shortage of heroes ready to step up to defend others, and the freedoms we hold so dear.

One of them is here with us tonight.

Perry Coy is a member of the Greatest Generation.

His acts of bravery during the Second World War earned him three Purple Hearts, the Bronze Star and the Silver Star and, just last month, I was proud to present him with the French government's highest decoration for valor: the Legion of Honor.

Fresh out of Bolivar High School, Perry Coy joined the Army. The Allies had just landed in Normandy, and from the moment he set foot on French soil, he was in the thick of it. He fought through the Ardennes Forest in France and into the heart of the Third Reich.

Along the way, Staff Sergeant Coy braved enemy fire to pull back a wounded medic and he took out a nest of Nazi gunners raining hellfire on the GIs serving beside him.

Certain, special people take an oath to serve. They may wear the uniform of our armed forces or our police, our firefighters or our state troopers. But they are alike in one fundamental way.

Like Staff Sergeant Coy, they have a spirit that compels them to run toward trouble - not away from it.

They put themselves in harm's way so that we might stay safe.

Out where the ice is thin and the storm rages... where the bombs burst and the bullets fly... that's where you'll find them.

On behalf of every man and woman who has ever worn a uniform of service, will Staff Sergeant Perry Coy please stand and accept the humble thanks of our state.

Perry Coy grew up in the Great Depression, fought the Nazis at the young age of 19, and came through it all an optimist.

With faith in God, faith in the future, and faith in himself, he married his sweetheart, Mary Lou, raised a family and started his own business, right here in Jefferson City.

He personifies the values that have made this nation great in war and in peace.

Courage.

Tenacity.

Sacrifice.

Hard work.

And last, but surely not least, optimism.

The faith, that no matter how difficult things are today, our best days lie ahead.

Times are tough.

Too many folks can't make ends meet, can't find the jobs they want, or worry they'll lose the jobs they have.

But even in these tough times, I'm optimistic.

I'm optimistic because I know that by working together ... focusing on shared values ... and putting progress above politics ... brighter days are ahead for the Show-Me State.

Together, we're fighting every day, for every job.

We're fighting for every worker who needs a new skill to compete.

We're fighting for every veteran looking for work.

We're fighting for every student who dreams of college and a career.

We're fighting every day for every small business on Main Street.

We're fighting every day for every established business that wants to expand.

And we're fighting every day for every new business that wants to set up shop in the Show-Me State.

My focus is crystal clear.

By fighting every day for every job, we are turning this economy around.

The recession that began three years ago cast a long shadow across our nation.

Millions of Americans are still unemployed.

And while there are signs that our economy is beginning to turn the corner, I won't be satisfied until all Missourians can provide for their families.

How will we do it?

By fighting hard every day for every job.

By making government smarter and more efficient.

By investing in strong communities to attract and keep good jobs, and by balancing our budget without raising taxes.

There are already signs that our hard work and fiscal discipline are paying off.

The number of Missourians filing new unemployment claims is down 17 percent, year over year.

Personal income grew last year, and is expected to keep on growing this year.

November and December revenues were up, indicating that people are cautiously beginning to spend.

That's good news for our economy in the short term, and it bodes well for the long term.

Make no mistake: The national recession hit Missouri hard.

But after losing jobs back in 2008 and 2009, we turned the corner in 2010, and are poised for job growth this year.

We will continue to be aggressive and relentless, fighting every day for every job. And we'll continue to be aggressive and relentless in making government smarter and more efficient.

We've kept our fiscal house in order with prudent financial controls, rigorous cost reductions, and smarter, more efficient government.

That's earned Missouri a AAA credit rating - the best you can get - from all three rating agencies. We're one of the few states in the nation that can make that claim.

It's a big vote of confidence in our state, and saves taxpayers millions of dollars a year in interest.

Compare that to what's going on in other states:

- Texas has a \$15 billion deficit;
- Kansas hiked its sales tax last year;

- New Jersey's got a \$54 billion pension deficit; and
- Illinois just raised personal and corporate income taxes.

Now look at our state.

Fiscal responsibility is a value we share here in the Show-Me State.

With the cuts included in my budget tonight, I will have reduced government spending by more than \$1.8 billion since I took office.

I'll have cut state payroll by over 3,300 positions.

All across state government, a leaner workforce is doing more with less.

These decisions are never easy, but they are necessary.

And because we've been frugal, we have money to invest in the things that matter most to Missourians: jobs, education, health care, and law enforcement.

We've also got to grow our economy, creating a climate where the entrepreneurial spirit can thrive.

That spirit is alive and well in Missouri's small businesses that are mighty engines of job growth.

To help them move forward, we eliminated the franchise tax on 16,000 small businesses in 2009.

We created a small business loan fund to spur investment and job growth.

With us tonight are three outstanding Missouri entrepreneurs who are growing their own success.

With a \$25,000 small business loan, Kelly Burke bought new equipment at his sawmill in Marionville and hired three more workers. Burke Timber is now a diversified business, producing lumber, hardwood floors, pallets and railroad ties.

Marina Remmers used her small business loan to buy commercial printing equipment. She moved her fledgling design company out of her basement and into a storefront in Bethany - and quadrupled her sales.

Chris Heston in Columbia used his state loans to expand his woodworking business and hire another worker. His wooden toys won a Parents Choice Award in 2010.

America was built on the dreams of solitary self-starters like these, with the moxie to invest in themselves.

Please give these home-grown entrepreneurs a big hand.

Cynics say that such small wins don't add up to much.

Cynics don't build things.

Optimists do.

Every job we add matters.

It matters to the person who gets the job.

It matters to their families and communities.

And it matters to Missouri.

Fighting every day for every job, we are turning this economy around.

To compete for 21st Century jobs, we need a highly skilled and well-trained workforce. Our Training for Tomorrow and Caring for Missourians initiatives are preparing thousands more workers for the careers of tomorrow.

We've invested millions in training workers to meet the growing demand in fields like computer technology, clean energy, automotive technology and health care.

Much of that training is taking place at our excellent community colleges, where the link between education and employment has always been strong.

Moberly is training LPNs to become RNs - boosting their earning capacity.

St. Louis is training workers to repair hybrid cars.

Crowder has doubled the number of grads from its EMT program.

We've also invested \$40 million in training more than 1,000 doctors, dentists, nurses and other professionals through our Caring for Missourians initiative. With the booming demand for health care, they'll be ready to step into careers the minute they graduate.

That's why this year I am expanding Caring for Missourians to provide more opportunities for nursing students at our four-year schools.

I ask the Legislature to join me in making this critical investment in our health and the health of our economy.

Last year, I said that we needed to bring broadband to every corner of our state. We all know that technology drives today's job market. We live in a high-speed, digital world, where the most tech-savvy, early adapters will succeed.

Soon, 88 Missouri counties will be better connected, at faster speeds, to each other and to the world.

High-speed broadband will have a dramatic impact on our economy and on our quality of life.

It will connect tens of thousands of homes in rural Missouri to a network of vital community services like fire and police, schools and hospitals, libraries and government.

For a family doc in Lancaster, it means real-time access to specialists in St. Louis.

For students in DeKalb County, it will widen the gateway to infinite online resources for research and class work, both at home and at school.

For cattlemen in Texas County, it will bring faster access to new markets in Brazil and Japan.

The competition for federal funds was steep, but our MoBroadbandNow partnership was a stunning success.

More than \$260 million will be coming to Missouri, which in turn will generate tens of millions of dollars in new investment, and create thousands of new jobs.

We're fighting every day for jobs for our veterans.

Last summer, I visited our troops in Iraq, Kuwait and Afghanistan.

And everywhere I went, I heard the same question: "Will there be a job for me when I come home?"

Tonight, I'm pleased to report that our efforts helped hundreds of veterans find jobs last year.

One year ago, I announced the “Show-Me Heroes” job initiative to help our veterans quickly regain their footing in civilian life. More than 1,000 Missouri employers stepped up to take the Show-Me Heroes pledge to give veterans first crack at a job interview.

I’d like to thank each and every employer who took the Show-Me Heroes pledge and hired a veteran, and I urge every employer in our state to do the same.

One of these employers is here tonight.

Tacony Manufacturing, which makes vacuum cleaners in St. James, took the Show-Me pledge and hired three veterans. The company also took advantage of our Work Ready Missouri program, which retrain unemployed workers to compete in today’s economy.

Please give a hand to the Show-Me Heroes employers at Tacony: Nancy Montgomery and John Kaido.

Even during these challenging times, we’re making steady progress in driving job growth in the short term and laying the foundation for economic strength in the long term.

Because of our hard work of the past two years, major companies have announced plans to bring thousands of jobs to our state, including:

300 jobs at Unisys in St. Louis;
400 jobs at Sabreliner in Perryville;
500 jobs at Expedia in Springfield;
500 jobs at Jet Midwest in Kansas City;
and 800 jobs at IBM in Columbia.

And there’s more.

Nordic Windpower USA is relocating from California to Kansas City. It plans to invest \$16 million and create 200 jobs, making wind turbines that produce clean, renewable energy.

Express Scripts is investing \$73 million to expand in St. Louis. That will preserve more than 1,000 jobs, and create 150 more.

Pioneer Hi-Bred has broken ground on a \$55 million soybean research plant in New Madrid County, creating 50 new jobs and helping thousands of Missouri farmers grow better beans.

Going forward, we will fight every day to help established Missouri businesses grow, and help new ones take root.

We’re going to make things in Missouri, and keep the “P” for products in GDP.

Products like:

Boots at Redwing in Potosi;
Batteries at Energizer in Maryville;
Windows at Quaker Windows in Freeburg;
Aluminum at Noranda in Marston;
Engine parts at Bodine in Troy;
Bullets and brakes, aircraft and appliances.

And Missouri will keep on building things, and that includes automobiles.

For a hundred years, Missouri has been an automotive state.

The industry pumps billions of dollars into our economy, and supports nearly 26,000 Missouri jobs.

But as I stood here one year ago, those jobs were in peril.

There was real concern that Ford's Claycomo plant might be the latest casualty of the 20-year decline of the U.S. auto industry.

So last summer, I called the General Assembly into special session to strengthen Missouri's automotive industry.

We fought for every man and woman whose job was on the line.

And I'm proud to announce that working together, we won that fight.

Yesterday, I inked a deal with the Ford Motor Company that guarantees thousands of jobs, \$400 million of new capital investment, and a bright future for the Ford plant in Claycomo.

With us tonight to celebrate this partnership is Ford's director of strategic planning, Steve Lewis.

Steve, please stand up and say hello.

It sure feels nice to be at the wheel when the U.S. auto industry turns a corner.

Ford's commitment will help keep thousands of hard-working Missourians on the job at Claycomo and at automotive suppliers in Hannibal, Nixa, Perryville, Joplin, Mexico - and every corner of our state.

And it's proof positive of what we already know: that the best darn workers in America are right here in the Show-Me State.

We've got some here with us tonight. Let's give them all a round of applause.

Missouri's workforce is one of our greatest assets.

And it's one of the reasons companies like Ford want to come to the Show-Me State, and stay in the Show-Me State.

But to be competitive, we constantly need to raise the level of our game.

As I listen to Missouri leaders in business, labor and education, I hear the same thing again and again: "We must make it easier for business to do business in Missouri."

They tell me that while we've made good use of our economic development tools to create jobs in the past, some of our incentives are outdated and need to be replaced.

Even the best tools need sharpening from time to time.

The feedback from our business experts is the foundation of my Compete Missouri jobs initiative. Compete Missouri is focused on providing smarter business incentives to drive job growth and sharpening our competitive edge.

First, we will consolidate our six current business incentives, and roll them into one. To qualify for these incentives, companies will have to provide good-paying jobs, and give their employees access to health care. For the first time, we'll give an extra bump to established Missouri companies, and offer added incentives to small business owners.

Second, we will roll our three worker-training programs into one, and align it with our Compete Missouri incentives. Worker-training assistance will be available to businesses as small as Ardent Outdoors, which employs 15 people in Macon, and as large as Boeing, which employs thousands.

Third, my budget for 2012 provides an additional \$5 million for job training. That will give employers more resources to maintain a highly skilled workforce and sharpen their competitive edge.

That's good for business, good for our workers and great for our economy.

Every business in Missouri needs reliable, affordable energy to grow and prosper.

And every Missouri family needs reliable, affordable energy to heat and cool their homes.

In November, I announced a historic agreement that will transform the economy of our state - creating thousands of jobs and benefitting millions of Missouri consumers of electric power.

That agreement put the wheels in motion for the construction of a second, state-of-the-art nuclear power plant in Callaway County.

Missouri has some of the lowest electric rates in the nation. That's attractive to businesses and families. But as our energy needs grow, we need to be looking now for new sources of clean, abundant and affordable power.

Building a second nuclear plant will create thousands of good-paying jobs for all our construction trades: iron and sheet metal workers; carpenters and cement masons; boilermakers and bricklayers; plumbers and pipefitters; teamsters and laborers; electrical workers and operating engineers.

They built Callaway One. And they will build Callaway Two.

As we move ahead on Callaway Two, we must make sure that we protect the interests of Missouri ratepayers - and their pocketbooks. That is why my budget includes more funding for a strong office of public counsel.

Building the next generation of nuclear power plants. Advancing the frontiers of biotechnology. The 21st Century economy is knowledge-based, and the best jobs will belong to those with the best education.

Education is a lifelong journey that begins at birth.

That's why my budget for 2012 provides funding for programs to get our youngsters off to a good start, like First Steps, Head Start, and Early Childhood Special Education.

And we must continue to invest in young minds from the day our children enter their first classrooms to the day they accept their diplomas.

So, even in a difficult year, we will protect our investment in K-12 classrooms.

As you know, states received additional federal funds, to be allocated to school districts this year.

But, in spite of receiving this money, some states are making cuts to their K-12 classrooms.

Not in Missouri.

In Missouri, we're partnering with our school districts to allow this money to be used to keep stable funding for our K-12 classrooms - not only for fiscal year 2011, but also for fiscal year 2012.

In the next ten years, Missouri student achievement must rank in the nation's top ten if we expect to compete for the best jobs in the global economy.

How will we accomplish that?

Hard work, high standards and higher expectations.

It's an ambitious goal.

But as any parent or teacher will tell you, children will rise to meet our expectations.

And we must do more to help students make the leap from high school to college.

For too long, too many excellent Missouri high school students have been unable to get A+ scholarships - through no fault of their own - simply because their schools weren't designated as A+ schools.

That's just not fair.

Every good student in Missouri deserves the opportunity to go to college - whether they live in the urban core in St. Louis or Kansas City, or down a country road in the Bootheel.

I'm talking about students like Alicen Brown and Willie Love.

Alicen is a junior at Southwest High School in Kansas City.

She's the president of the student body, a member of the district's scholars committee and a peer mediator.

She gets good grades and has already taken courses that will count toward her college degree.

But Alicen can't get an A+ scholarship because Southwest High has not been designated an A+ school.

That's just not fair.

Willie Love is a senior at Carnahan High School in St. Louis.

He's a scholar-athlete with honors in baseball, football and basketball.

He's vice-president of a community service club at school, and works with youngsters at the Demetrius Johnson football camp.

Willie's just the kind of young achiever that A+ scholarships are intended to help.

But because his school isn't designated as an A+ school, he can't even apply.

That's just not fair.

Good students like Alicen and Willie deserve an equal opportunity to succeed - no matter what high school they attend.

I call on every member of the legislature to extend our A+ program so that outstanding students all across our state are guaranteed access to A+ college scholarships.

In recognition of their outstanding achievements, please welcome Alicen Brown and Willie Love.

My budget for 2012 also includes millions of dollars for Missouri's most successful college scholarship programs, including:

Bright Flight, to help keep our top students at our excellent Missouri institutions;
Access Missouri, which serves students with the greatest financial need;
and A+, which has helped more than 50,000 students afford and attend college.

And to improve our students' preparation for careers in science and technology, we'll give a \$500 bonus to A+ and Access Missouri recipients who score well on Advanced Placement exams in math and science.

Because job prospects and lifetime earnings are tied directly to education, we've got to lift our aspirations for higher education as well.

Today, just 35 percent of Missouri adults hold college degrees.

We need to kick that number up to 60 percent if we want to compete for the best jobs in the new economy.

How?

By bringing the dream of a college education within reach for more Missouri families.

College affordability has been a top priority of mine since Day One.

So, while tuition soared by double digits around the nation, Missouri schools kept tuition and fees flat for two years running. Even if some schools impose modest tuition increases next year, we'll have protected Missouri families from the sharp tuition spikes seen in other states.

And the response has been overwhelming. College enrollment jumped by 10,000 students last year, hitting record highs at more than half of Missouri's universities, and boosting applications at all of them.

That's progress.

Creating jobs.

Balancing the budget without raising taxes.

Investing in our future.

Now let me tell you about what we're doing to make government smarter and more efficient.

By merging the Highway Patrol and Water Patrol, we've kept the same number of troopers on our roads and waterways with less bureaucracy. Savings to taxpayers: \$3 million.

- We've sold government cars, cut mileage reimbursements and used technology to drastically reduce state travel. Savings to taxpayers: close to \$7 million in the next two years.
- We've gotten rid of unused office space, consolidated the state health and agriculture labs and renegotiated building leases. Savings to taxpayers: more than \$5 million.
- We've cut state energy bills by two percent, on top of last year's 5.6 percent. Savings to taxpayers: \$3 million.
- And we've reformed and modernized the state pension system, which will keep it solvent now and for years to come.

But we must do more this year.

A bipartisan tax credit commission spent four months reviewing Missouri's 61 tax credit programs. They looked at which credits are giving taxpayers a good return on their investment - and which are not.

I ask the members of the Legislature to allow this commission to present its recommendations at open hearings in the House and Senate.

We should give the commission's report serious and full consideration.

Because Missourians work hard for their money.

We owe it to taxpayers to make sure they get the best bang for their buck.

Creating jobs.

Balancing the budget without raising taxes.

Investing in the future.

Making government smarter and more efficient.

All of these things are essential to the well-being of our state.

But there are special moments when, touched by the better angels of our nature, our work rises to meet a higher standard. At those moments, what we do here transforms lives.

January 1, 2011, was a landmark day for thousands of families across Missouri.

That was the day insurance companies had to start providing meaningful coverage for the diagnosis and treatment of children with autism.

Some day, when we look back at our shared history, at the battles won and lost in these chambers, this piece of legislation will be one of our landmarks, as well.

Last October, we took another bold step to help families caring for loved ones with other types of developmental disabilities, like Down syndrome and cerebral palsy.

The Partnership for Hope is designed to keep families together, and improve their quality of life by providing support for their loved ones at home.

I'd like to introduce you to a young man sitting in the back gallery.

His name is Nick Ayers. He's 31 and lives in Lincoln County with his parents, Russell and Janet.

Nick has cerebral palsy. He can do a lot on his own, but he needs a hand preparing meals, managing personal business, and staying safe.

Janet and Russell want their son to live a full and happy life as an independent member of their community. But as they get older, they worry that keeping up with Nick will become a real challenge.

Like too many Missouri families, the Ayerses had been on a waiting list for support services for years ... and years...and years. Today, we're providing those services for them, and hundreds more families - at home, at a fraction of the cost of institutional care.

Please join me in welcoming Nick, Janet and Russell Ayers, as representatives of Missouri's life-changing Partnership for Hope.

Last year, we passed historic DWI legislation with strong bipartisan support.

That new law is making our highways safer for everyone.

With us tonight are the superintendent of the Highway Patrol, Colonel Ron Replogle, and Sergeant Blaine Adams from Troop E in Poplar Bluff.

Sergeant Adams has made an amazing 1,060 DWI arrests - more than any other current member of the patrol.

1,060 DWI arrests.

Can you imagine how many lives this one trooper has saved?

For its exceptional record of educating the public, and protecting Missourians from drunk drivers, the Patrol received the national 2010 Outstanding Law Enforcement Agency Award from Mothers Against Drunk Driving.

Colonel Replogle and Sergeant Adams, on behalf of all the men and women of the Highway Patrol, please stand and accept the gratitude of your state.

But we must do more to protect the health of our citizens.

This year, my budget will provide good nutrition for thousands of house-bound seniors who rely on home-delivered meals.

Our seniors also need help paying for their medicine.

We have a program to help low-income seniors and people with disabilities keep up with the skyrocketing costs of prescription drugs.

The Missouri Rx program is a lifeline for more than 200,000 Missourians every year.

But Missouri Rx is set to expire this summer.

We cannot let that happen.

My budget includes funds for the Missouri Rx program, but the Legislature must extend it.

Nobody should be forced to choose between paying for medicine and putting food on the table.

Nobody.

I urge the members of the General Assembly to reauthorize this vital program and send it to my desk.

There's another piece of the people's business that requires our attention: ethics reform.

The people of Missouri need to know that their elected representatives are working in the public interest - and not for personal gain.

Right now, anyone can write a check for any amount of money, and tip the balance of an election.

That is corrosive to our democracy.

We need to set strict limits on campaign contributions that are undermining the sovereignty of the people and subverting the fundamental principle of free and fair elections.

We need meaningful ethics reform this year.

In the past year, I've visited businesses and schools, farms and factories, hospitals and veterans homes from Bethany to Bernie, and seen a lot of countryside in between.

One of the many things that make Missouri such a special place to live is our wonderful system of state parks. There's a quiet beauty to Missouri that weaves its own kind of magic.

That may explain why I've never lived anywhere else.

Never wanted to.

Like thousands of Missourians, I grew up hunting and fishing, hiking and canoeing with my Mom and Dad. Georganne and I have continued that outdoor tradition with our family.

While visiting our state parks last year, Georganne and I saw Missouri's first State Parks Youth Corps in action.

At a time when it's been especially tough for young people to find jobs, the State Parks Youth Corps put money in the pockets of more than 1,000 young workers - at no cost to the state.

The National Association of State Park Directors gave our State Parks Youth Corps its top award for innovation in 2010. And I'm pleased to report that the Youth Corps will put hundreds more kids to work in our parks this summer.

Believe me, those young folks worked hard.

We saw them rebuilding stone walls at Roaring River, painting cabins at Montauk, and blazing trails at Cuivre River and Rock Bridge.

And while they were at it, they learned valuable life and work skills:
Show up on time;
do your best;
and get the job done.

Working outside all summer long, they also gained a new respect and appreciation for nature.

If you look up in the balcony, you'll see them in their green T-shirts.

Please welcome the members of Missouri's first State Parks Youth Corps.

This is a critical time for Missouri.

The shadows of the recession are lifting.

The bright rays of recovery are gathered on the horizon.

Now, more than ever, Missouri needs its leaders to focus on what is most important:
Creating jobs;
making government smarter and more efficient;
investing in strong communities; and
balancing the budget without raising taxes.

The people of Missouri want problem-solvers, not politicians.

The people of Missouri want results, not rhetoric.

Because, as we've seen in Washington, when politicians cling to ideology, and kick common sense to the curb, when they focus on the party line and not the bottom line... nothing gets done. Missouri is blessed with a long and strong tradition of bipartisanship.

And in Missouri, we get things done.

Why?

Because, here in the heartland, we share common values and common goals.

We want the opportunity to work hard at work worth doing, whether it's building the next generation of fuel-efficient trucks, or growing better soybeans to feed a hungry world.

We want our children to get a first-rate education that prepares them to compete for the best jobs in the global economy.

We want safe, strong communities where neighbors help neighbors.

We want a vibrant and prosperous economy, where “Made in America” is still the gold standard - whether it’s stamped on an F-150 or an F-15.

And we make them both, right here in the Show-Me State.

For as long as I’ve been a public servant - as a state senator, as attorney general and now, as your governor - my approach has been pretty simple.

Bring folks together.

Hash things out.

Find solutions.

Now, we all know the folks in this room have differences of opinion.

And we all know we’ll have some disagreements.

But it’s worth remembering that we all serve the people of Missouri.

All of your constituents are my constituents... and the common good is our common goal.

I’d like to close tonight with the words of a native son.

He’s been a strong and steadfast servant of the people, and a champion for Missouri commerce, education and agriculture for more than 40 years: Senator Christopher S. Bond.

Here’s what Kit had to say last month in his farewell address on the Senate floor:

“In a world today, where enemies are real ... it is important to remember there is a lot of real estate between a political opponent and a true enemy.”

“There will be issues where people of good conscience cannot come together.”

“But never let what cannot be done interfere with what can be done.”

In the days and weeks ahead, let us take those words to heart, and act on them in good faith.

Let us do what can be done... what must be done ... for the people of Missouri.

God bless Missouri.

God bless America.

Thank you, and good evening.

The Joint Session was dissolved by Senator Dempsey.

Speaker Tilley resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 45 - Fiscal Review (Fiscal Note)

HB 163 - Workforce Development and Workplace Safety

COMMITTEE REPORT

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 71**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 228, introduced by Representative Schoeller, relating to billboards.

HB 229, introduced by Representatives Curls and Leara, relating to school retirement systems.

HB 230, introduced by Representatives Davis, Jones (89), Diehl, Lant, Kelley (126), Lichtenegger and White, relating to the Missouri uniform trust code.

HB 231, introduced by Representatives Thomson, Still, Schupp, Wallingford and Hoskins, relating to an advanced placement incentive grant.

HB 232, introduced by Representatives Thomson, Schupp, Still, Wallingford and Denison, relating to the A+ schools program.

HB 233, introduced by Representatives Lant, Fitzwater, Taylor, Reiboldt, Davis, Flanigan, Brown (85), Fuhr, Hoskins, Denison, Guernsey, Leach, Gatschenberger, Smith (150), Schieffer, McGhee, Colona, Kelly (24), Wyatt, Faith, Cierpiot, Kelley (126) and Hinson, relating to unlawful picketing of a funeral.

HB 234, introduced by Representatives Kander, Colona, Lant, Lasater, McNeil, McManus, Reiboldt, Hummel, Phillips, Webber, Kirkton, Peters-Baker, Lampe, Still, Higdon, Tilley, Walton Gray, Anders, Pace, Oxford, Atkins, Conway (27), McCann Beatty, McGeoghegan, Rizzo, Montecillo, Sifton, Fallert, Casey, Carter, Fisher and Schupp, relating to requiring entry into MULES of certain child custody and visitation information contained in orders of protection.

HB 235, introduced by Representatives Kelly (24), Rowland, Pace, Nasheed, Guernsey, McNary, Carlson, Walton Gray, Still, Smith (71), Oxford, Schieffer, Fuhr and Gatschenberger, relating to the sale or disclosure of driver record information.

HB 236, introduced by Representatives Kelly (24), Silvey, Tilley, Stream, Lair, Flanigan, Jones (89), Cauthorn, Talboy, Jones (63), Swinger, Schupp and Parkinson, relating to federal reimbursement allowances.

HB 237, introduced by Representatives Zimmerman, Taylor, Webb, Oxford, Anders, McDonald, Black, Atkins, Pace, Conway (27), Still, Fallert, Kander, Hummel, Brown (50), Aull, Nichols, Newman, Lampe, Walton Gray, Montecillo, Carlson, Harris, Spreng, Ellinger, Sifton, Kelly (24), McNeil, Peters-Baker, McCann Beatty, Pierson, Colona, Schupp, Kirkton, McManus, McGeoghegan, Meadows, Talboy and Carter, relating to ethics.

HB 238, introduced by Representatives Kander, Fisher, Lampe, Still, Aull, Fallert, Talboy, Kratky, Holsman, Colona, Peters-Baker, Walton Gray and Webber, relating to unemployment benefits.

HB 239, introduced by Representatives Kander, Fisher, Lampe, Still, Aull, Fallert, Talboy, Holsman, Colona, Walton Gray and Webber, relating to the veteran workforce act.

HB 240, introduced by Representatives Fallert, Zimmerman, Conway (27), Meadows, Black, Hummel and Casey, relating to elections.

HB 241, introduced by Representative Fallert, relating to the public education employee retirement system.

HB 242, introduced by Representatives Fallert, Meadows, Schieffer, Black, Hummel and Denison, relating to safety precautions for trailer and semitrailer operators.

HB 243, introduced by Representatives Still, Webber, Quinn, Kelly (24) and Ellinger, relating to the University of Missouri board of curators.

HB 244, introduced by Representatives Still, Webber, McNeil, Quinn, Lichtenegger, Kelly (24), Molendorp and Schupp, relating to the University of Missouri board of curators.

HB 245, introduced by Representatives Newman, Talboy, Shively, Lampe, Aull, Jones (63), McCann Beatty, Hummel, Walton Gray, Brown (50), Pace, Oxford, Nichols, Hubbard, Kratky, Smith (71), Peters-Baker, Carlson, Colona, Sifton, Kelly (24), Conway (27), Pierson, McDonald, Carter, Kirkton, Spreng, Anders, Kander, Still, Curls, Schupp, Nasheed, Black, Taylor, Webb, Zimmerman, Hodges, McManus, Harris, Atkins, Montecillo, McGeoghegan, Rizzo, Schieffer, Swearingen, Quinn, Holsman, Meadows, Ellinger, Casey, Swinger and Webber, relating to elections.

HB 246, introduced by Representatives Shively, Quinn, Black, Denison, Rowland, Cookson, Schad, Phillips, Smith (150) and Franz, relating to school funding.

HB 247, introduced by Representatives Kelley (126), Redmon, Gatschenberger, Lant, Davis, White, Conway (14), Long, Bahr, Berry, Franklin, Wyatt, Schoeller and Brattin, relating to false identification to a law enforcement officer.

HB 248, introduced by Representatives McNeil, Sifton, Kelly (24), Still, Webber, Hummel and Smith (71), relating to an income tax deduction for certain tuition costs.

HB 249, introduced by Representatives Fitzwater, Gatschenberger, Barnes, Wyatt, Day, Largent, Lichtenegger, Richardson, Hampton, McGhee, Nasheed, Hinson, Elmer, Lant, Webb, Smith (71), Jones (117), Torpey, Johnson, Klippenstein, Brown (85), Kelley (126), Fraker, Leach, Keeney, Cookson, Schad, Montecillo and Walton Gray, relating to the designation of Vietnam veterans day.

HB 250, introduced by Representatives Cox, Lant, Wright, Lichtenegger, Ruzicka, Brown (116), Gatschenberger and Schoeller, relating to well water.

HB 251, introduced by Representatives Cox, Gatschenberger and Bahr, relating to tax credits for qualified film production projects.

HB 252, introduced by Representatives Cox, Lant, Ruzicka, Fisher, Bahr, Kelley (126), Hampton, Koenig, Fuhr, Nance, Burlison, Brown (116) and Gatschenberger, relating to business premises safety.

HB 253, introduced by Representatives Cox, Kelley (126), Colona, Fuhr, Nance, Gatschenberger and Kelly (24), relating to criminal justice.

HB 254, introduced by Representative Cox, relating to restitution and the costs for collecting it.

HB 255, introduced by Representatives Cox, Nance and Gatschenberger, relating to the private attorney retention act.

HB 256, introduced by Representatives Cox, Colona, Richardson, Barnes, Kelly (24), Kander, Nance and Gatschenberger, relating to the basic civil legal services fund.

HB 257, introduced by Representatives Cox, Lant, Koenig, Fuhr and Ruzicka, relating to abolishing the sentencing advisory commission.

HB 258, introduced by Representatives Cox and Burlison, relating to beer wholesalers.

HB 259, introduced by Representative Cox, relating to disclosure of certain foster care licensure information.

HB 260, introduced by Representatives Cox, Colona, Richardson, Kelly (24), Kander and Barnes, relating to the uniform interstate family support act.

HB 261, introduced by Representative Barnes, relating to teacher layoffs.

HB 262, introduced by Representatives Smith (150), Ruzicka, Lant, Koenig, Brattin, Keeney, Cross, Richardson, Fitzwater, Hampton, Weter, Solon, Johnson, Hinson, Hough, Burlison, Long, Fuhr and Gatschenberger, relating to the purchase of health insurance.

The following member's presence was noted: Lampe.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 20, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture, Department of Natural Resources, Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture, Department of Natural Resources, Department of Conservation.

APPROPRIATIONS - EDUCATION

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held.

Budget presentation by the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 3.

Executive Session may be held.

Public Testimony. Those wishing to testify before the committee please notify the committee chair's office before the meeting date. Contact Emily at 751-2949.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 20, 2011, 8:00 AM House Hearing Room 3.

Department of Health and Senior Services overview.

May reconvene after morning adjournment.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 5.

Public testimony to be taken.

Contact Chairman Flanagan's office at (573) 751-5458 to schedule testimony.

DOWNSIZING STATE GOVERNMENT

Thursday, January 20, 2011, 8:00 AM House Hearing Room 4.

Executive Session may be held.

Public hearing to be held on: HB 139

CANCELLED

FISCAL REVIEW

Thursday, January 20, 2011, 8:30 AM South Gallery.

Executive Session may be held.

Any bills referred to the committee.

HEALTH INSURANCE

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

HIGHER EDUCATION

Thursday, January 20, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 20, 2011, 8:30 AM House Hearing Room 7.

Organizational meeting plus brief presentation by Division of Tourism.

URBAN ISSUES

Monday, January 24, 2011, House Hearing Room 5, 5:00 PM or upon afternoon adjournment.

Executive Session may be held.

Public hearing to be held on: HB 71

CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 20, 2011, 8:00 AM House Hearing Room 1.

Executive Session may be held.

Public hearing to be held on: HB 91, HB 162

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 24, 2011, 12:00 PM House Hearing Room 6.

Executive Session may be held.

Public hearing to be held on: HB 163

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 20, 2011

HOUSE BILLS FOR SECOND READING

HB 228 through HB 262

HOUSE BILLS FOR PERFECTION

HCS HBs 73 & 47 - Brandom

HOUSE BILLS FOR THIRD READING

HCS HB 45, (Fiscal Review 1-19-11) - Hoskins

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 20, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord God is a sun and shield: The Lord will give grace and glory: no good thing will He withhold from them that walk uprightly. (Psalm 84:11)

"Spirit of God, descend upon my heart;
Wean it from earth; through all its pulses move;
Stoop to my weakness, mighty as You are;
And make me love You as I ought to love."

Spirit of God descend upon our hearts - this is our prayer this snowy morning. Make us daily aware of Your presence and in Your spirit may we find the attitudes we need for this day. Slow us down, Lord, slow us down; we work too hard, we eat too fast, we hurry too much. Help us to take time to think clearly, time to pray sincerely, and above all time to cultivate the sense of Your presence in our hearts and in our homes. Then give us the faith and the fortitude to walk uprightly in Your way, for the good of the State of Missouri and for the glory of Your Holy Name.

We recall today our Missouri history when in 1872 Governor Brown became the first occupant of the current Executive mansion. Bless all who have resided there, past, present and future. Strengthen the dedication of all who strive to protect and preserve this residence. We beg this favor in the name of Him, Who is the Ancient of Days. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed.

SPECIAL RECOGNITION

Dr. Paul G. Dolan, Dr. Jon I. Haynes, Dr. Marshall S. Manne and Dr. Jacob J. Lippert were recognized by Speaker Pro Tem Schoeller for their 50 years of service to the dental profession.

Dr. Ervin W. Harder was introduced by Representative Shumake and presented a resolution for his 50 years of service to the dental profession.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 172 through House Resolution No. 206

HOUSE CONCURRENT RESOLUTIONS

Representative Nolte offered House Concurrent Resolution No. 16.

Representative Schieffer, et al., offered House Concurrent Resolution No. 17.

SECOND READING OF HOUSE BILLS

HB 228 through **HB 262** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 45** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL

HCS HB 45, relating to small business tax relief, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 45** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McGhee	McManus	McNary	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Stream	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells

Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 021

Atkins	Ellinger	Hummel	Kander	Kirkton
Lampe	May	McDonald	McGeoghegan	McNeil
Oxford	Pace	Pierson	Schupp	Smith 71
Still	Swearingen	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 006

Carlson	Hughes	Leara	Meadows	Wright
Zimmerman				

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Budget

HCR 6 - Tourism and Natural Resources

HCR 11 - Tourism and Natural Resources

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 2 - Children and Families

HJR 3 - Agri-Business

HJR 6 - Workforce Development and Workplace Safety

HJR 8 - Tax Reform

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 28 - Children and Families

HB 29 - Health Care Policy

HB 30 - Small Business

HB 35 - Judiciary

HB 42 - Utilities

HB 44 - Downsizing State Government

HB 46 - General Laws

HB 48 - Elementary and Secondary Education

HB 54 - Elections

HB 55 - Ways and Means
HB 56 - Economic Development
HB 58 - Transportation
HB 60 - Local Government
HB 77 - International Trade and Job Creation
HB 78 - Tax Reform
HB 79 - Veterans
HB 80 - Local Government
HB 81 - Tax Reform
HB 83 - Financial Institutions
HB 86 - Small Business
HB 88 - Judiciary
HB 90 - General Laws
HB 92 - General Laws
HB 94 - Agriculture Policy
HB 95 - Elections
HB 99 - Agriculture Policy
HB 100 - Agriculture Policy
HB 101 - Local Government
HB 102 - Ways and Means
HB 105 - Crime Prevention and Public Safety
HB 107 - Elections
HB 108 - General Laws
HB 109 - Financial Institutions
HB 111 - Judiciary
HB 112 - Rural Community Development
HB 113 - General Laws
HB 114 - Transportation
HB 116 - Ways and Means
HB 124 - Utilities
HB 126 - Transportation Funding and Public Institutions
HB 127 - Retirement
HB 129 - Judiciary
HB 131 - Agriculture Policy
HB 136 - Veterans
HB 137 - Transportation Funding and Public Institutions
HB 138 - Elementary and Secondary Education
HB 142 - Local Government
HB 148 - Insurance Policy
HB 149 - Veterans
HB 151 - Ways and Means
HB 157 - Local Government
HB 161 - Local Government
HB 168 - International Trade and Job Creation
HB 169 - Elementary and Secondary Education
HB 171 - Elections
HB 173 - Financial Institutions

HB 174 - Higher Education
HB 183 - Retirement
HB 186 - Elections
HB 189 - Tourism and Natural Resources
HB 190 - Tourism and Natural Resources
HB 191 - Tourism and Natural Resources
HB 192 - Tourism and Natural Resources
HB 193 - Special Standing Committee on Redistricting
HB 196 - Health Care Policy
HB 203 - Crime Prevention and Public Safety
HB 204 - Veterans
HB 205 - Workforce Development and Workplace Safety
HB 209 - Agri-Business
HB 211 - Small Business
HB 213 - Health Care Policy
HB 214 - Crime Prevention and Public Safety
HB 215 - General Laws
HB 217 - Elections
HB 218 - Judiciary
HB 219 - Elementary and Secondary Education
HB 220 - Professional Registration and Licensing
HB 224 - Professional Registration and Licensing
HB 225 - Crime Prevention and Public Safety
HB 226 - Workforce Development and Workplace Safety
HB 235 - Downsizing State Government
HB 262 - Health Insurance

COMMITTEE REPORT

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 5

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010, and filed an amendment order or rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

BE IT FURTHER RESOLVED that a copy of this resolution be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-sixth General Assembly, First Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HR 18, introduced by Representatives Parkinson and Tilley, relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 11, introduced by Representatives Burlison, McNary, Koenig, Elmer, Long, Parkinson, Hampton, Schoeller, Smith (150), Allen, Wyatt, Jones (89), Neth, Schad, Kelly (24) and Gatschenberger, relating to the commonsense obligation to provide accountability and spending stabilization act.

HJR 12, introduced by Representatives Burlison, Long, Smith (150), Allen, Neth, McNary and Cox, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 263, introduced by Representative Weter, relating to the Missouri local government employees' retirement system.

HB 264, introduced by Representatives Nolte and Weter, relating to the manufacturing jobs act.

HB 265, introduced by Representatives Smith (150), Wells, Pollock and Dugger, relating to nurses.

HB 266, introduced by Representatives Smith (150), Rowland, Ruzicka, Wright and Neth, relating to weight limitations for vehicles hauling livestock.

HB 267, introduced by Representatives McNeil, Schoeller, Holsman, Kelly (24), Molendorp, Still, Faith and Oxford, relating to environmentally sustainable construction for state-funded buildings.

HB 268, introduced by Representatives Lasater, Kelly (24), Solon, Torpey and Lichtenegger, relating to mining safety.

HB 269, introduced by Representatives Molendorp and Nance, relating to tort liability and immunity.

HB 270, introduced by Representatives Burlison and Swinger, relating to state health insurance benefits.

HB 271, introduced by Representatives Burlison, Guernsey, Brattin, Smith (150), Flanigan, Koenig, Brandom, Loehner, Houghton, Elmer, Long, Fraker, Hough, Parkinson, Leach, Hampton, Schoeller, Allen, Wyatt, Riddle, Jones (89), Korman, Hinson, Schad, Bahr and Ruzicka, relating to concealed carry endorsements.

HB 272, introduced by Representatives Kirkton, Oxford, Still, Jones (63), McNeil, Walton Gray, Schupp, Pace, Loehner, Lampe, Curls, Sater, Schad, Jones (117), Richardson, Pollock, Fraker, Franz, Weter and Dugger, relating to the MO HealthNet oversight committee.

HB 273, introduced by Representatives Allen, Flanigan, Richardson, Jones (117), Zerr, Dieckhaus and Weter, relating to school safety.

HB 274, introduced by Representatives Bahr and Kelley (126), relating to funeral protests.

HB 275, introduced by Representatives Franz and Denison, relating to employee rights.

HB 276, introduced by Representatives Franz, Fisher, Reiboldt, Lant, Day, Denison, Hinson, Solon, Gatschenberger, Lichtenegger, Bahr, Cross and Kelley (126), relating to funeral protests.

HB 277, introduced by Representatives Franz, Riddle and Barnes, relating to voter registration for hunting and fishing permit applicants.

HB 278, introduced by Representatives McNeil, Swearingen, Kirkton, McDonald, Newman, Peters-Baker, Pace, Walton Gray, Oxford, Schupp, Jones (63), Kelly (24), Still and Carter, relating to the implementation of the streamlined sales and use tax agreement.

HB 279, introduced by Representatives Solon, Tilley, Smith (150), Schoeller, Riddle, Dieckhaus, Diehl, Hampton, Allen, McGhee, Kelly (24), Weter, Lant, Wright, Day, Franz, Cross, Hough, Nance, Gatschenberger, Lasater and Fitzwater, relating to the senior citizens protection act.

HB 280, introduced by Representatives Frederick, Haefner, Allen, Wallingford, Neth, Berry, Franklin, Denison, McCaherty, Phillips, Guernsey, Kelley (126) and Koenig, relating to diagnostic imaging services.

HB 281, introduced by Representatives Kelley (126), Crawford, Redmon, Houghton, Brattin, Lant, Reiboldt, Wyatt, Fitzwater, Frederick, Davis, Entlicher, Parkinson, Richardson, Dugger, Smith (150), Wallingford, Loehner, Shively, Aull, Schieffer, Long, Schoeller, Cross, Brown (116), Denison, Fisher and Franz, relating to commercial dog breeders.

HB 282, introduced by Representative Franz, relating to the state employee deferred contribution program.

HB 283, introduced by Representatives Rowland, Kelley (126), Cox, Loehner, Elmer, Hinson, Phillips, Koenig, Riddle, Shumake, Wells, Pollock, Schoeller, Smith (150), Franklin, Fisher and Leach, relating to declarations of candidacy.

HB 284, introduced by Representatives McNary, Cierpiot, Redmon, Houghton, Nolte, Berry, Guernsey, Haefner, Brattin and Brown (85), relating to possession and use of certain alcohol containers and devices on certain rivers.

COMMUNICATION

January 20, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jeanette Mott Oxford as a member of the Committee on Tax Reform and appoint Representative Rory Ellinger as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 24, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

APPROPRIATIONS - EDUCATION

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held.

Budget presentation by the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 3.

Executive Session may be held.

Public Testimony.

Those wishing to testify before the committee please notify the committee chair's office before the meeting date. Contact Emily at 751-2949.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 5.

Public testimony to be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

ELECTIONS

Tuesday, January 25, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 107, HB 171, HB 186, HB 217, HB 95

Executive Session may be held.

GENERAL LAWS

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 113, HB 215

Executive Session may be held.

AMENDED

HEALTH INSURANCE

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

CORRECTED

SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 7.

Executive Session may be held.

Brad Jones (NFIB) will be bringing individuals from Missouri small business community and hearing will be held for informational purposes.

URBAN ISSUES

Monday, January 24, 2011, House Hearing Room 5, 5:00 PM or upon afternoon adjournment.

Public hearing to be held on: HB 71

Executive Session may be held.

CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 24, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 163

Executive Session may be held.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 24, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 18

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 11 and HJR 12

HOUSE BILLS FOR SECOND READING

HB 263 through HB 284

HOUSE BILLS FOR PERFECTION

HCS HBs 73 & 47 - Brandom

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 24, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

The songwriter wrote, *"O LORD, our Lord, How majestic is Your name in all the earth, Who have displayed Your splendor above the heavens! When I consider Your heavens, the work of Your fingers, The moon and the stars, which You have ordained; What is man that You take thought of him, And the son of man that You care for him? Yet You have made him a little lower than God, And You crown Him with glory and majesty...O LORD, our Lord, How majestic is Your name in all the earth! (Psalm 8:1, 3-5,9)*

Father, You have given us another day to be at Your service – for this we give thanks.

I pray this afternoon on behalf of these, Your servants, for discernment as they serve the people of Missouri. May they know what is best and right for those whom they represent.

Surround them, O Lord, with people who will give wise counsel. May they see the difference between the good and the bad and I pray that they will choose that which is good.

May they remember the Proverb that *"Loyalty and truth preserve the king, And he upholds his throne by righteousness" (Proverbs 20:28).*

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick

Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brattin	Diehl	Funderburk	Hughes
Keeney	McCann Beatty	Meadows	Nolte	Parkinson
Silvey	Mr Speaker			

HOUSE RESOLUTION

Representative Allen offered House Resolution No. 207.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 208 through House Resolution No. 240

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 18 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 11 and **HJR 12** were read the second time.

SECOND READING OF HOUSE BILLS

HB 263 through **HB 284** were read the second time.

COMMITTEE REPORT

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 285, introduced by Representative Fitzwater, relating to classification of certain real property.

HB 286, introduced by Representative Barnes, relating to designation of tax refunds to the American Red Cross.

HB 287, introduced by Representative Brandom, relating to health care professional identification badges.

HB 288, introduced by Representatives Lair, Shively, Lant, Gatschenberger and Fisher, relating to employment of an attorney by a sheriff.

HB 289, introduced by Representatives Lair, Shively, Lant, Gatschenberger, Kelley (126) and Fisher, relating to the election or appointment of a sheriff.

HB 290, introduced by Representatives Gatschenberger and Talboy, relating to the acquisition of insurance coverage by certain political subdivision syndicates without the need for soliciting competitive bids.

HB 291, introduced by Representatives Denison, Phillips, Long, Meadows, Fallert, Schieffer, Stream, Gatschenberger, Wells, Weter, McGhee, Sater, Ruzicka, Day, Thomson, Entlicher, Dugger, Koenig, Schoeller, Smith (150), Elmer, Nance, Silvey, Cauthorn, Funderburk, Shumake, Rowland, Cierpiot, Cox, Bernskoetter, Hinson, Zerr, Richardson, Jones (117), Jones (89), Scharnhorst, Conway (14), Franklin, Brown (85), Harris, Guernsey, Lant, Leach, Brown (50), Fraker, Nasheed, Talboy, Jones (63), Kelly (24), Holsman, Torpey, Webb, Kratky, Hodges, McManus, Black, Oxford, Atkins, Conway (27), McCann Beatty, Curls, Rizzo, Taylor, McGeoghegan, Pace, Walton Gray, Hubbard, Anders, Quinn, Shively, Aull, Loehner, Pollock, Carter, Allen, Lair, Grisamore, Houghton, Crawford, Brown (116), Riddle, White, Wieland, Davis, Brattin, McCaherty, Frederick and Fitzwater, relating to motor vehicle windshield stickers.

HB 292, introduced by Representative Schneider, relating to real estate appraisers.

HB 293, introduced by Representative Schneider, relating to merchandising practices at health spas.

HB 294, introduced by Representatives Riddle and Franz, relating to the age limit for concealed carry endorsements.

HB 295, introduced by Representatives Hinson, Colona, Nance, Fuhr, Lampe, Wright, Kander, Johnson, Jones (117), Hough and Richardson, relating to diseases presumed incurred in the line of duty by firefighters.

HB 296, introduced by Representatives Curls and McCann Beatty, relating to contracts for deeds.

HB 297, introduced by Representatives Riddle, Franz, Jones (89), Jones (63), Wyatt, Largent and Oxford, relating to child abuse.

HB 298, introduced by Representative Fitzwater, relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district.

The following members' presence was noted: Funderburk, McCann Beatty, Meadows, Parkinson and Silvey.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 25, 2011.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Ninth Day, Thursday, January 20, 2011, Page 201, Line 24, by deleting the word "**HR**" and inserting in lieu thereof the word "**HCR**".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 99, HB 94, HB 131

Executive Session may be held.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

APPROPRIATIONS - EDUCATION

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held.

Budget presentation by the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 3.

Executive Session may be held.

Public Testimony.

Those wishing to testify before the committee please notify the committee chair's office before the meeting date. Contact Emily at 751-2949.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 3.

Budget Presentations for: Public Debt, Office of Administration Debt

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 5.

Public testimony to be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 5.

Public testimony will be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

AMENDED

CHILDREN AND FAMILIES

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HJR 2, HB 28

Executive Session may be held.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 105

Executive Session may be held.

DOWNSIZING STATE GOVERNMENT

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 44, HB 139, HB 235

Executive Session may be held.

ELECTIONS

Tuesday, January 25, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 107, HB 171, HB 186, HB 217, HB 95

Executive Session may be held.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 138, HB 219

ETHICS

Tuesday, January 25, 2011, 1:00 PM House Hearing Room 1.

Executive Session may be held.

Ethics Committee Rules of Procedure Pursuant to Rule 36(c)

GENERAL LAWS

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 113, HB 215

Executive Session may be held.

AMENDED

HEALTH CARE POLICY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 29, HB 196

Executive Session may be held.

AMENDED

HEALTH INSURANCE

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive Session may be held.

INTERNATIONAL TRADE AND JOB CREATION

Tuesday, January 25, 2011, 4:00 PM House Hearing Room 1.

Organizational Meeting.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 26, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 61

Executive Session may be held.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

CORRECTED

JUDICIARY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 35, HB 88, HB 129, HB 111, HB 218

Executive Session may be held.

LOCAL GOVERNMENT

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, January 25, 2011, 3:00 PM House Hearing Room 6.

Executive Session will be held: HB 71

SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM HR 7.

Executive Session may be held.

Brad Jones (NFIB) will be bringing individuals from Missouri small business community and hearing will be held for informational purposes.

TAX REFORM

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 76

Executive Session may be held.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 137, HB 126

UTILITIES

Tuesday, January 25, 2011, 1:00 PM House Hearing Room 5.

Organizational Meeting Only.

VETERANS

Tuesday, January 25, 2011, 8:00 AM House Hearing Room 1.

Executive Session will be held: HB 149

Public hearing to be held on: HB 136, HB 79, HB 204, HB 149

Executive Session may be held.

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 25, 2011

HOUSE BILLS FOR SECOND READING

HB 285 through HB 298

HOUSE BILLS FOR PERFECTION

HCS HBs 73 & 47 - Brandom

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 25, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God who made the world and all things therein seeing that He is Lord of heaven and earth, dwelleth not in temples made with hands; neither is worshipped with men's hands, as though He needed anything, seeing He giveth to all life, and breath, and all things. (Acts 17:24,25)

Eternal God, from Whom comes all things good, true, and patient, in the quiet of this morning we open our hearts to You. You are everywhere, You are everywhere present, and now in the silence of this moment we would find You and would be found by You. Breathe on us, breath of God, fill us with life anew, that we may love what You love, and do what You would do.

Strengthen our Faith, renew our courage, make us great in goodness and good in greatness that we may triumph over wrong and conquer every evil intention. Put beneath us, the representatives of our beloved state, Your strong foundation and send us forth our vision clear, our faith confirmed, and our spirits strengthened to be Your loyal and loving children, so we would open our hearts to Your transforming presence.

We ask this in Your Holy Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as printed by the following vote:

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	

NOES: 000

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 007

Brown 50	Diehl	Grisamore	Hughes	Keeney
Schneider	Mr Speaker			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 241 through House Resolution No. 273

House Resolution No. 275 through House Resolution No. 277

SECOND READING OF HOUSE BILLS

HB 285 through **HB 298** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 18 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 236 - Budget

HB 285 - Rural Community Development

COMMITTEE REPORTS

Committee on Ethics, Chairman Jones (89) reporting:

Mr. Speaker: Your Committee on Ethics, begs leave to report that pursuant to Rule 36 of the House Rules, it has adopted the Rules of Procedure and hereby submits said Rules of Procedure in the form of a House Resolution and has examined the same and recommends that **House Resolution No. 274 be adopted.**

HOUSE RESOLUTION NO. 274 ETHICS COMMITTEE RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

(1) The name and legal address of the member or members acting as complainant;

(2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:

(a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;

- (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
 - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
 - (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
 - (4) The facts alleged to have given rise to the violation; and
 - (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.
- B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each allegation;

(2) An objection to the jurisdiction of the Committee to investigate the complaint; or

(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

(1) Dismiss the complaint, or

(2) Proceed by

- (a) undertaking an investigative hearing; or
- (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

- (1) Letter of reproval;
- (2) Reprimand; or
- (3) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

(1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes each.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

- (a) Witnesses and other evidence offered by the complainant;
- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee staff; and
- (d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth,

the whole truth, and nothing but the truth (so help you God)?” The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to the Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The

report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Ethics of the 112th Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 19, introduced by Representatives Gatschenberger, Franz, Long, Koenig, Diehl, Barnes, Scharnhorst, Molendorp, Kelley (126), Fitzwater, Jones (89), Nance, Nolte, Brown (50), Pace, Jones (117), Richardson, Parkinson, Denison, Hinson, Zerr, Schoeller, Schatz, Reiboldt, Schieffer, Largent, Allen, Guernsey, Riddle, Lant, Leach, Brown (85), Lichtenegger, Grisamore, Dugger, Schad, Cox, Loehner, Bahr, Cookson, Fraker, Burlison and Wieland, relating to the calling of a convention proposing amendments to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 13, introduced by Representatives Black and Kander, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 299, introduced by Representatives Lichtenegger, Lasater, Entlicher, Kelly (24), Allen, Wright, Pollock, Zerr, Guernsey, Hampton, Wallingford, Hodges, Wyatt, Faith, Davis, White, Still, Cookson, Gatschenberger, Grisamore, Franz and Redmon, relating to the land reclamation act.

HB 300, introduced by Representative Gatschenberger, relating to student athlete head injuries.

HB 301, introduced by Representatives Talboy and Silvey, relating to midwifery.

HB 302, introduced by Representatives Black, Fitzwater, Quinn and McGhee, relating to a mental health assessment pilot program.

HB 303, introduced by Representatives Day, Lampe, Fisher, Fuhr, Davis, Wyatt, Nolte, Walton Gray, Atkins, Hoskins, Largent, Wright, Lant, Neth, Smith (150), Higdon, Jones (89) and Casey, relating to the issuance of temporary courtesy licenses to nonresident military spouses.

HB 304, introduced by Representatives Black and Fallert, relating to a tax credit for certain reserve public safety officers.

HB 305, introduced by Representatives Gatschenberger and Jones (117), relating to the Missouri state employees' retirement incentive.

HB 306, introduced by Representatives Gatschenberger and Kelley (126), relating to the use of wireless communications devices in construction and work zones.

HB 307, introduced by Representatives Gatschenberger, Molendorp, Long, Fisher, Bahr, Davis, Jones (117) and Richardson, relating to a special license plate.

HB 308, introduced by Representatives Black and Pace, relating to an offender making a false report against an employee of the department of corrections.

HB 309, introduced by Representatives Black and Fallert, relating to the law enforcement safety fund.

HB 310, introduced by Representatives Gatschenberger, Davis, Jones (117) and Richardson, relating to the State Authority and Federal Tax Fund Act.

HB 311, introduced by Representatives Gatschenberger, Long, Jones (117) and Richardson, relating to the powers and duties of the Missouri electrical industry licensing board.

HB 312, introduced by Representative Gatschenberger, relating to a debt setoff for unpaid healthcare expenses.

HB 313, introduced by Representative Gatschenberger, relating to the Missouri life and health insurance guaranty association act.

HB 314, introduced by Representatives Wells, Frederick, Smith (150), Sater, Funderburk, McGhee, Brown (50), Faith, Pollock, Denison, Gatschenberger, Oxford, Entlicher, Stream, Allen and Lichtenegger, relating to tobacco use on public school property.

HB 315, introduced by Representatives McNary, Kander, Redmon, Houghton, Kelley (126), Jones (117), Haefner, Brown (85), Nance, Hough, Long, Gosen, Jones (89), Koenig, Fuhr, Bahr, Gatschenberger, Dieckhaus, Cookson, Franklin, Schad, Curtman, Neth, Phillips, Burlison, Schoeller, Silvey, Zerr, Sater, Schieffer, Brown (50), Torpey, Fitzwater, Jones (63), Fallert, Lampe, Kelly (24), Webber, Talboy, Meadows, Cross, Elmer, Denison, Pollock, Loehner, Spreng, Wieland, Hampton, Leach and Guernsey, for the sole purpose of repealing statutes with multiple versions.

HB 316, introduced by Representative Kelly (24), relating to collection of state money.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 1**, entitled:

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

SENATE CONCURRENT RESOLUTION NO. 1

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

WHEREAS, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010 and filed an amended order of rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the General Assembly finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-sixth General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-sixth

General Assembly, First Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENTS

January 25, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Tax Policy:

Representative John Diehl

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

January 25, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Disability Services:

Representative Jeff Grisamore, Chairman
Representative Jay Houghton, Vice-Chairman
Representative Keith Frederick
Representative Tom Flanigan
Representative Rick Stream
Representative Paul Curtman
Representative Jeannie Lauer
Representative Genise Montecillo
Representative Jeanette Mott Oxford
Representative Eileen McGeoghegan

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

January 25, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Renewable Energy:

Representative Jason Holsman, Chairman
Representative Rodney Schad, Vice-Chairman
Representative Jerry Nolte
Representative Eric Burlison
Representative Casey Guernsey
Representative Zachary Wyatt
Representative Tom Loehner
Representative Kent Hampton
Representative Denny Hoskins
Representative Rochelle Walton Gray
Representative Mike Colona
Representative Margo McNeil

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

COMMUNICATIONS

January 13, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Margo McNeil
Representative
District 78

January 25, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Lyle Rowland
District 143

The following members' presence was noted: Grisamore, Keeney, Schneider and Tilley.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 26, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

APPROPRIATIONS - EDUCATION

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held on any matter referred to the Committee.

Budget presentation by the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 3.

Budget Presentations for: Public Debt and Office of Administration Debt

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 5.

Public testimony will be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.

Department of Corrections Budget.

BUDGET

Thursday, January 27, 2011, 8:00 AM House Hearing Room 3.

Supplementals.

CHILDREN AND FAMILIES

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HJR 2, HB 28

Executive Session may be held on any matter referred to the Committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 105

Executive Session may be held on any matter referred to the Committee.

DOWNSIZING STATE GOVERNMENT

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 44, HB 139, HB 235

Executive Session may be held on any matter referred to the Committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 138, HB 219

HEALTH CARE POLICY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 29, HB 196

Executive Session may be held on any matter referred to the Committee.

AMENDED

INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive Session may be held on any matter referred to the Committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 26, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 61

Executive Session may be held on any matter referred to the Committee.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.

Executive Session may be held on any matter referred to the Committee.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

CORRECTED

JUDICIARY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 35, HB 88, HB 129, HB 111, HB 218

Executive Session may be held on any matter referred to the Committee.

LOCAL GOVERNMENT

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

RULES

Wednesday, January 26, 2011, 3:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 18

Executive Session may be held on any matter referred to the Committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, January 26, 2011, 3:15 PM House Hearing Room 3.

Executive Session will be held: HCR 5, HB 163

SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 7.

Executive Session may be held on any matter referred to the Committee.

Brad Jones (NFIB) will be bringing individuals from Missouri's small business community, and the hearing will be held for informational purposes.

TAX REFORM

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 76

Executive Session may be held on any matter referred to the Committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 27, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 192, HB 189, HB 190, HB 191

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 137, HB 126

WAYS AND MEANS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 151, HB 116, HB 55

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 27, 2011, 8:00 AM South Gallery.

EXECUTIVE SESSION ONLY.

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 19

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 13

HOUSE BILLS FOR SECOND READING

HB 299 through HB 316

HOUSE BILLS FOR PERFECTION

HCS HBs 73 & 47 - Brandom

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

SCR 1

HOUSE RESOLUTIONS

HR 274, (1-25-11) - Jones (89)

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God is not far from each one of us, for in Him we live and move and have our being. (Acts 17:28)

O You in Whom we live and move and have our being, without Whom no one is strong, no one is good, we pause in Your presence this morning once again to lift our hearts to You in prayer. We need You, our God, we need You as we confront the problems of this day, as we endeavor to meet the challenges of this hour and as we seek to make wise use of the living of these days that we fail not our citizens nor You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Olivia Hairston.

The Journal of the eleventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 278 through House Resolution No. 306

HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 20.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 21.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 19 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 13 was read the second time.

SECOND READING OF HOUSE BILLS

HB 299 through **HB 316** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 1 was read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 73 & 47, relating to temporary assistance benefits, was taken up by Representative Brandom.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Line 4, by deleting the word “**cause**” and inserting in lieu thereof the word “**suspicion**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Line 2, by inserting after all of said line the following:

‘Further amend said page and section, Line 5, by inserting after the word “**substances.**”, the following:

“**In implementing the provisions of this section the department shall not discriminate against any work-eligible applicant or work-eligible recipient on the basis of race or ethnicity.**”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Richardson, **House Amendment No. 1, as amended**, was adopted.

Representative Kirkton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.037, Line 26, by inserting after all of said line the following:

"3. The provisions of this section shall not take effect in any given fiscal year until such time as appropriations by the general assembly for substance abuse treatment programs offered by the division of alcohol and drug abuse within the department of mental health increase capacity by the number of currently sanctioned temporary assistance for needy families participants, plus the number currently on a waiting list for treatment and notice of such appropriations has been given to the revisor of statutes."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kirkton moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Schupp offered **House Amendment No. 3**.

Representative Smith (150) raised a point of order that **House Amendment No. 3** is out of order pursuant to Rule 46(d).

Representative Kelly (24) raised an additional point of order that the first point of order is untimely.

The Chair ruled the first point of order well taken.

Representative Silvey offered **House Amendment No. 4**.

Representative Riddle raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Still offered **House Amendment No. 5**.

Representative Cox raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Oxford offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Lines 9 through 10, by deleting all of said lines and inserting in lieu thereof the following:

“536 and for a period of one year from the date of the administrative hearing decision, have any temporary assistance for needy families moneys held by a third party for the payment of the recipient's eligible expenses during such one-year period. The department shall”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber	Zimmerman	

NOES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 50 Hughes Largent McGhee

On motion of Representative Brandom, **HCS HBs 73 & 47, as amended**, was adopted.

On motion of Representative Brandom, **HCS HBs 73 & 47, amended**, was ordered perfected and printed by the following vote:

AYES: 121

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McManus	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Curls	Ellinger	Elmer	Holsman	Hubbard
Hummel	Jones 63	Kirkton	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50 Hughes Largent McGhee Silvey

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HBs 73 & 47 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 1 - Rules

COMMITTEE REPORT

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 14, introduced by Representatives Cox, Gatschenberger, Fisher and Dugger, relating to voter identification.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 317, introduced by Representatives Colona, Hummel, Peters-Baker, McGeoghegan, Pace, Walton Gray, Carter and Spreng, relating to text messaging while operating a motor vehicle.

HB 318, introduced by Representative Brandom, relating to insurance reimbursement for physical therapist services.

HB 319, introduced by Representative Fisher, relating to public contracts.

HB 320, introduced by Representative Fisher, relating to public construction.

HB 321, introduced by Representatives Walton Gray, Meadows, Pace, Still, Ellinger, May, Oxford, Carter, Jones (63), Newman, Funderburk and Brown (50), relating to the designation of organ donor recognition day.

HB 322, introduced by Representatives Walton Gray, Meadows, Fallert and Brown (50), relating to liquor control.

HB 323, introduced by Representatives Walton Gray, Meadows, Pace, Nasheed, Ellinger and Brown (50), relating to mortgages.

HB 324, introduced by Representatives Walton Gray, Meadows, Pace, Ellinger, Schupp and Atkins, relating to vacation leave for state employees.

HB 325, introduced by Representatives Cauthorn, Houghton, Lant, Jones (117), Richardson, Brown (116), Redmon, Reiboldt, Quinn, Schad, Kelly (24), Lair, Loehner, Shively and Conway (27), relating to hand fishing.

HB 326, introduced by Representative Burlison, relating to professional counselors.

HB 327, introduced by Representatives Wallingford, Wright, Lichtenegger, Brandom and Hodges, relating to the circuit court of Cape Girardeau County.

HB 328, introduced by Representatives Koenig, Funderburk, Curtman, McCaherty, Davis, Smith (150), Long, Stream, Guernsey, Phillips, Faith, Keeney, Reiboldt, Bahr, Allen, Rowland, Dugger, Schoeller, Parkinson, Gosen, Fisher, Kelley (126) and Cross, relating to the abortion-inducing drugs safety act.

HB 329, introduced by Representatives Diehl, Cox, Gatschenberger, Fisher and Dugger, relating to elections.

HB 330, introduced by Representative Franz, relating to license plates for property-carrying commercial motor vehicles.

HB 331, introduced by Representative Franz, relating to waiver of background check for purchasing firearms.

HB 332, introduced by Representatives Franz, Lant, Fitzwater and Schad, relating to the puppy mill cruelty prevention act.

HB 333, introduced by Representatives Shumake, Burlison, Redmon, Funderburk, Koenig, Largent, Kelley (126), Rowland, Denison and Wallingford, relating to the use of religious books in public schools.

HB 334, introduced by Representatives Barnes and Fitzwater, relating to the prevention and treatment of head injuries among student athletes.

HB 335, introduced by Representatives Burlison, Schoeller, Jones (89) and Kelly (24), relating to political subdivision taxes.

HB 336, introduced by Representatives Burlison, Tilley, Jones (89), Diehl, Talboy, Jones (117), McNary, Dieckhaus, Carter, Hummel, Webber, Curls and Hubbard, relating to tax incentives to attract sporting events to Missouri.

HB 337, introduced by Representatives Wells, Schad, Dugger, Wright, Denison, Stream, Pollock, Funderburk, Neth, Scharnhorst, Nance and Fitzwater, relating to text messaging while operating motor vehicles.

HB 338, introduced by Representatives Pollock, Tilley, Schoeller, Scharnhorst, Webb, Jones (89) and Diehl, relating to telecommunications.

HB 339, introduced by Representatives Pollock, Tilley, Schoeller, Scharnhorst, Webb, Jones (89), Diehl, Neth, Riddle and Dugger, relating to telecommunications.

COMMUNICATIONS

January 26, 2011

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am filing a written report of a possible personal interest in legislation on which the House of Representatives may vote on. My wife, Mary Conway is a court reporter and her salary is contained in the State Courts Administrator Budget.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you.

Sincerely,

/s/ Pat Conway
District 27

January 19, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an agent for Farmers Insurance, sole owner of Chris Molendorp Insurance Agency Inc., I sell and service multiple lines of the insurance. My wife, Julie Molendorp owns Molendorp Appraisals, Inc., a company which provides residential and commercial appraising services for contract vendors. Responsibilities of this company require us to work in the property valuation/real estate industry.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best regards,

/s/ Chris Molendorp
District 123

January 25, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461 of the Revised Statutes of Missouri, this letter is to advise I am hereby filing a written report with your office of a possible personal interest on which the House of Representatives may vote on during the legislative session. I have a son who is employed with the Missouri Department of Corrections; and some of the issues, bills and amendments that I will be voting on could have a direct impact on my family.

I request that you please publish this letter in the Journal of the House. Thanking you in advance, I remain.

Sincerely yours,

/s/ Paul Quinn
State Representative
District 9

The following members' presence was noted: Brown (50), Largent and McGhee.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 27, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, January 27, 2011, House Hearing Room 3 upon morning adjournment.

Public hearing to be held on: HB 131, HB 94, HB 99

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.

Department of Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 3.

Department of Corrections Budget.

Convene at 2:00 pm, short recess for dinner, reconvene meeting after recess.

BUDGET

Thursday, January 27, 2011, 8:00 AM House Hearing Room 3.

Supplementals.

DOWNSIZING STATE GOVERNMENT

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 44, HB 139, HB 235

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, January 27, 2011, 1:15 PM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

CORRECTED

HEALTH INSURANCE

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 5.

Informational Meeting.

INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

RULES

Thursday, January 27, 2011

House Hearing Room 7, upon morning adjournment or 12:30 PM, whichever is later.

Public hearing to be held on: SCR 1

Executive session may be held on any matter referred to the committee.

Rules Pursuant will follow: HCR 18, SCR 1

TOURISM AND NATURAL RESOURCES

Thursday, January 27, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 192, HB 189, HB 190, HB 191

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 137, HB 126

WAYS AND MEANS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HB 151, HB 116, HB 55

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 27, 2011, 8:00 AM South Gallery.
Executive session only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 31, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 205, HB 226
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 27, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 14

HOUSE BILLS FOR SECOND READING

HB 317 through HB 339

HOUSE BILLS FOR PERFECTION

HCS HB 163 - Fisher

HOUSE BILLS FOR THIRD READING

HCS HBs 73 & 47, (Fiscal Review 1-26-11) - Brandom

HOUSE RESOLUTIONS

HR 274, (1-25-11, Pages 217-222) - Jones (89)

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 27, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*I am the vine, you are the branches. He that abideth in Me, and I in him, the same bringeth forth much fruit.
(John 15:5)*

We thank You, our Father, for Your spirit which follows us all our days, for Your love which will not let us go, and for the strength of Your presence which never lets us down. Help us to open wide the door of our hearts that we may receive Your spirit, welcome Your love, claim the strength of Your presence and be made ready for the experiences and responsibilities of this day in this Chamber.

By Your grace may we put goodness before evil, truth before falsehood, high principles before low prejudices, the rights of the weak before the wrongs of the strong, and may we put You above all else in our hearts, minds and souls. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 307 through House Resolution No. 323

HOUSE CONCURRENT RESOLUTION

Representative Fallert, et al., offered House Concurrent Resolution No. 22.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 14 was read the second time.

SECOND READING OF HOUSE BILLS

HB 317 through **HB 339** were read the second time.

HOUSE RESOLUTION

HR 274, relating to Ethics Rules of Procedure, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HR 274** was adopted by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 50	Hughes	Peters-Baker	Zimmerman
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REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 4** - Transportation Funding and Public Institutions
- HCR 12** - Downsizing State Government
- HCR 13** - Higher Education
- HCR 15** - Tourism and Natural Resources
- HCR 19** - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 5** - Rural Community Development
- HJR 10** - Elementary and Secondary Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 33** - Transportation
- HB 36** - Tax Reform
- HB 38** - Corrections
- HB 41** - Crime Prevention and Public Safety
- HB 64** - Financial Institutions
- HB 68** - Small Business
- HB 75** - Judiciary
- HB 82** - Special Standing Committee on Renewable Energy
- HB 85** - Economic Development
- HB 89** - Tourism and Natural Resources
- HB 96** - Agri-Business
- HB 97** - Tourism and Natural Resources
- HB 104** - Transportation Funding and Public Institutions
- HB 115** - Crime Prevention and Public Safety
- HB 128** - Judiciary
- HB 130** - Judiciary
- HB 135** - Workforce Development and Workplace Safety
- HB 140** - Crime Prevention and Public Safety
- HB 141** - Transportation
- HB 143** - Children and Families
- HB 152** - Tax Reform
- HB 153** - Transportation
- HB 155** - Crime Prevention and Public Safety
- HB 187** - Elections
- HB 198** - Tourism and Natural Resources
- HB 201** - Health Care Policy

HB 221 - Workforce Development and Workplace Safety
HB 222 - Ways and Means
HB 227 - Judiciary
HB 233 - General Laws
HB 240 - Elections
HB 241 - Elementary and Secondary Education
HB 263 - Retirement
HB 265 - Professional Registration and Licensing
HB 266 - Agri-Business
HB 273 - Elementary and Secondary Education
HB 274 - General Laws
HB 276 - General Laws
HB 277 - General Laws
HB 280 - Health Insurance
HB 282 - Retirement
HB 292 - Ways and Means
HB 303 - Veterans
HB 315 - Downsizing State Government
HB 316 - Ways and Means

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 73 & 47** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 91**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 15, introduced by Representatives Ruzicka, Fisher, Lant, Houghton and Phillips, relating to bird, fish, game, wildlife, or forestry resources.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 340, introduced by Representatives Klippenstein, Guernsey, Redmon, Fitzwater, Berry, Barnes and Lair, relating to the erection and maintenance of jails.

HB 341, introduced by Representatives Riddle, Franz, Funderburk and Cox, relating to petitions to remove firearms disqualification.

HB 342, introduced by Representatives Still, Carlson, Pierson, Ellinger, Pace, Oxford, Atkins, McNeil, Schupp, McCann Beatty and Meadows, relating to cigarette taxes.

HB 343, introduced by Representatives Still, Carlson, Pierson, Ellinger, Pace, Walton Gray, Kelly (24), Oxford, Atkins, McNeil, Schupp, Kirkton, McCann Beatty and Meadows, relating to cigarette taxes.

HB 344, introduced by Representative Guernsey, relating to the farm-to-table advisory board.

HB 345, introduced by Representatives Guernsey and Klippenstein, relating to the agricultural business development loan program.

HB 346, introduced by Representatives Guernsey, Loehner, Wells, Cauthorn, Schad, Hough, Ruzicka, Houghton, Rowland, Fraker, Crawford, Korman, Shively, Quinn and Hodges, relating to sales tax exemptions for captive wildlife.

HB 347, introduced by Representatives Kirkton, Tilley, Zimmerman, Ellinger, Schupp, Still, Weter, Atkins and Frederick, relating to the prompt credentialing act.

HB 348, introduced by Representatives Newman, Lampe, Schupp, Peters-Baker, Carlson, Webb, Kander, Talboy, Oxford, Nichols, Carter, Colona, Jones (63), McGeoghegan, Montecillo, Pace, Walton Gray, Webber, Kirkton, Spreng and Sifton, relating to the duty of a pharmacy to fill prescriptions.

HB 349, introduced by Representatives Newman, Colona, Carlson, McDonald, Pace, Kirkton, Nichols, Smith (71), Peters-Baker, McNeil, Lampe, Schupp, Webb, Talboy, Oxford, Carter, Anders, Jones (63), McGeoghegan, Montecillo, Walton Gray, Spreng and Sifton, relating to equal employment practices.

HB 350, introduced by Representatives Newman, Colona, Carlson, McDonald, Pace, Kirkton, Nichols, Smith (71), Peters-Baker, McNeil, Carter, Lampe, Still, Schupp, Webb, Talboy, Oxford, Atkins, Nichols, Kander, Jones (63), McGeoghegan, Montecillo, Walton Gray, Webber, Spreng and Sifton, relating to increasing preventative health services in the state through the prevention first act.

HB 351, introduced by Representatives McNeil, Newman, Oxford, Conway (27) and Schupp, relating to election judges.

HB 352, introduced by Representatives Wallingford, Fitzwater, Cookson, Thomson, Lichtenegger, Neth, Wright, Hampton, Parkinson, Reiboldt, McNary, Cauthorn, Long, Hodges, Taylor, Berry, Brandom, Shumake, Rowland, Montecillo and Aull, relating to science, technology, engineering, and mathematics education.

HB 353, introduced by Representatives Wyatt, Redmon, Leach, Conway (14), Kelly (24), Zerr, Fitzwater, Koenig and Bahr, relating to insurance producer licenses.

HB 354, introduced by Representatives Faith, Zerr, Parkinson, Funderburk, Schneider, Gatschenberger and Dieckhaus, relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

HB 355, introduced by Representative Faith, relating to motorcycle operator's licenses.

HB 356, introduced by Representatives Phillips, Ruzicka, Lair, Flanigan, Lant, Rowland, Houghton, Reiboldt, Schad, Wright and McCaherty, relating to making a false declaration.

HB 357, introduced by Representative Leara, relating to enhanced enterprise zones.

HB 358, introduced by Representatives Leara and Colona, relating to police retirement.

HB 359, introduced by Representative Leara, relating to payday loans.

HB 360, introduced by Representative Leara, relating to the Missouri local government employees' retirement system.

HB 361, introduced by Representative Leara, relating to the Missouri firearms freedom act.

HB 362, introduced by Representatives Scharnhorst, Dieckhaus, Jones (89), Stream, Lair, McNary, Schoeller, Tilley and Brandom, relating to the Missouri special needs scholarship tax credit program known as Bryce's Law.

HB 363, introduced by Representatives Colona, Jones (89), Hummel, Jones (63), Kratky, Montecillo, Carter, Pace, Hubbard, May, Oxford, Pierson, Sifton, Newman, Carlson, Black, Swearingen, Nasheed, Franz and Diehl, relating to the designation of a memorial highway.

HB 364, introduced by Representatives Parkinson, Kelley (126), Wieland, McNary, Schoeller, Conway (14), Asbury, Berry and Nolte, relating to tort actions for damages.

HB 365, introduced by Representatives Funderburk, Tilley, Meadows, Franz, Zerr, Jones (89), Scharnhorst, Brandom, Diehl, Nolte, Cookson, Schoeller, Johnson, Cross, Fisher, Burlison, Flanigan, Klippenstein, Wright, Gatschenberger, Dieckhaus, Grisamore, Lasater, Wieland, Lant, Rizzo, Schieffer and Walton Gray, relating to funeral protests.

HB 366, introduced by Representatives Silvey, Talboy, Zerr, Fisher, Neth, Kelly (24), Sifton and Webber, relating to tax incentives for data storage and server farm facilities.

HB 367, introduced by Representatives Meadows and Walton Gray, relating to amateur mixed martial arts.

HB 368, introduced by Representatives Meadows, Kratky, McGeoghegan and Walton Gray, relating to creation of an identification card for veterans.

HB 369, introduced by Representative Gatschenberger, relating to the imposition of fees for the repair of water service lines in certain municipalities.

HB 370, introduced by Representatives Carter, Hummel, Webb, Nasheed, Pace, Walton Gray, McCann Beatty, Atkins, Brown (50), Colona, Hubbard, Hodges, Oxford, May, Jones (63) and Smith (71), relating to the prostate cancer pilot program.

HB 371, introduced by Representatives Fitzwater, Black, Lasater, Harris, Leach, Conway (14) and McGhee, relating to minimum pay for certain corrections employees.

COMMITTEE APPOINTMENTS

January 27, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Appropriations-General Administration and appoint Representative Stacey Newman as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 27, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Budget and appoint Representative Genise Montecillo as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 27, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Higher Education and appoint Representative Jean Peters-Baker as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 27, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Small Business and appoint Representative Chris Carter as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMUNICATIONS

January 27, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session. My wife is a public school teacher in Missouri.

This letter is to notify the general public of my interest in the above mentioned subject. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Sincerely,

/s/ Scott Largent
District 120

January 27, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 W. Capitol Ave., Room 306C
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

I am retired and drawing retirement pay from MPERS. In addition, my wife is a retired teacher and receives retirement pay from PSRS.

Thank you for your attention to this matter.

Sincerely,

/s/ Don Phillips
State Representative
District 62

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 31, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 4.
Public hearing to be held on: HJR 3, HB 209

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 4.
Budget presentation continued by the Department of Natural Resources.
Budget presentation by the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 4.
Budget presentation continued by the Department of Natural Resources.
Budget presentation by the Department of Conservation.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Budget presentation continued by the Department of Elementary and Secondary Education.
Budget presentation by the Department of Higher Education.

APPROPRIATIONS - EDUCATION

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Presentation by Higher Education Institution Presidents.

APPROPRIATIONS - EDUCATION

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2011, 12:00 PM House Hearing Room 3.
Office of Administration Operations, Fringe Benefits, and Attached Programs.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2011, 5:00 PM House Hearing Room 3.
Continue Budget Presentations on Office of Administration Operations, Fringe Benefits, and Attached Programs.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.
Department of Health and Senior Services FY 2012 budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.
Department of Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 3.
Department of Corrections Budget.
Convene at 2:00 PM, short recess for dinner, reconvene meeting after recess.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Public Testimony-Corrections.
Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Public Safety Budget .
Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Public Safety Budget.
Public Testimony-Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Testimony will be submitted by Missouri Department of Transportation (MoDOT).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Department of Labor and Industrial Relations (DOLIR).

ECONOMIC DEVELOPMENT

Tuesday, February 1, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development.

ELECTIONS

Tuesday, February 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 107, HB 186, HB 171, HB 217, HB 187, HB 54

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Monday, January 31, 2011, House Hearing Room 4, upon adjournment.

Public hearing to be held on: HCR 19, HB 108

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 46, HB 90

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 5.

Informational Meeting.

HIGHER EDUCATION

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 13, HB 174

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, January 31, 2011, 3:30 PM House Hearing Room 1.

Executive Session will be held: HB 162, HB 91

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 2, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

URBAN ISSUES

Monday, January 31, 2011, 5:00 PM House Hearing Room 5.

Presentations on Urban Crime.

VETERANS

Tuesday, February 1, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 1, 2011, 5:00 PM Senate Lounge.

This will be a joint committee meeting between the House of Representatives Veterans Committee and the Senate Veterans Committee.

This committee meeting will be for informational purposes only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 31, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 205, HB 226

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, JANUARY 31, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 15

HOUSE BILLS FOR SECOND READING

HB 340 through HB 371

HOUSE BILLS FOR PERFECTION

HCS HB 163 - Fisher

HOUSE BILLS FOR THIRD READING

HCS HBs 73 & 47 - Brandom

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 1, (1-25-11, Page 224-225) - Smith (150)

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, JANUARY 31, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

Through the prophet, Isaiah, the LORD stated, *"For I am God, and there is no other; I am God, and there is no one like Me, declaring the end from the beginning, and from ancient times things which have not been done, Saying, 'My purpose will be established, And I will accomplish all My good pleasure'...Truly I have spoken; truly I will bring it to pass. I have planned it, surely I will do it."* (Isaiah 46:9-10)

Father, I pray this afternoon for Your mercies as the winter storm approaches. May we all see those around us who are in need and may we personally extend a hand of compassion in helping them.

I also pray, O Lord, for these You have ordained to lead the state of Missouri. May they govern in a way which glorifies You. May they seek that which is righteous and may they defend it with honor. In their discourses may they speak with respect for all.

I pray too, O Lord, for my fellow citizens of this great state. I pray that we will learn what it means to respect and honor those You have appointed to lead. Too many times, we have prayed for these leaders out of one side of our mouth and then spoken words of scorn, hatred and dishonor from the other. Instead, Lord, even if we disagree on issues, may we always show the honor due to these servants of Yours – honor which You have commanded in Your Scripture.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan

Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McDonald	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hoskins	Hughes	Klippenstein	Largent
May	McCann Beatty	McGeoghegan	McGhee	Nasheed
Pierson	Sater	Shumake	Sifton	Walton Gray
Webb				

HOUSE RESOLUTIONS

Representative Barnes offered House Resolution No. 324 and House Resolution No. 325.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 326 through House Resolution No. 354

HOUSE CONCURRENT RESOLUTION

Representative Faith, et al., offered House Concurrent Resolution No. 23.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 15 was read the second time.

SECOND READING OF HOUSE BILLS

HB 340 through **HB 371** were read the second time.

THIRD READING OF HOUSE BILL

HCS HBs 73 & 47, relating to temporary assistance benefits, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HBs 73 & 47** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McManus	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 027

Atkins	Brown 50	Carlson	Carter	Colona
Elmer	Hubbard	Hummel	Jones 63	Kirkton
McDonald	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Rizzo	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hoskins	Hughes	Klippenstein	Largent
May	McCann Beatty	McGeoghegan	McGhee	Nasheed
Pierson	Sater	Sifton	Walton Gray	Webb

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 163, relating to unemployment compensation benefits, was taken up by Representative Fisher.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 163, Page 7, Section 288.062, Line 208, by inserting after all of said line the following:

“288.330. 1. Benefits shall be deemed to be due and payable only to the extent that moneys are available to the credit of the unemployment compensation fund and neither the state nor the division shall be liable for any amount in excess of such sums. The governor is authorized to apply for an advance to the state unemployment fund and to accept the responsibility for the repayment of such advance in order to secure to this state and its citizens the advantages available under the provisions of federal law.

2. (1) The purpose of this subsection is to provide a method of providing funds for the payment of unemployment benefits or maintaining an adequate fund balance in the unemployment compensation fund, and as an alternative to borrowing or obtaining advances from the federal unemployment trust fund or for refinancing those loans or advances.

(2) For the purposes of this subsection, "credit instrument" means any type of borrowing obligation issued under this section, including any bonds, commercial line of credit note, tax anticipation note or similar instrument.

(3) (a) There is hereby created for the purposes of implementing the provisions of this subsection a body corporate and politic to be known as the "Board of Unemployment Fund Financing". The powers of the board shall be vested in five board members who shall be the governor, lieutenant governor, attorney general, director of the department of labor, and the commissioner of administration. The board shall have all powers necessary to effectuate its purposes including, without limitation, the power to provide a seal, keep records of its proceedings, and provide for professional services. The governor shall serve as chair, the lieutenant governor shall serve as vice chair, and the commissioner of administration shall serve as secretary. Staff support for the board shall be provided by the commissioner of administration.

(b) Notwithstanding the provisions of any other law to the contrary:

a. No officer or employee of this state shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of an appointment as a board member or for his or her service to the board;

b. Board members shall receive no compensation for the performance of their duties under this subsection, but each commissioner shall be reimbursed from the funds of the commission for his or her actual and necessary expenses incurred in carrying out his or her official duties under this subsection.

(c) In the event that any of the board members or officers of the board whose signatures or facsimile signatures appear on any credit instrument shall cease to be board members or officers before the delivery of such credit instrument, their signatures or facsimile signatures shall be valid and sufficient for all purposes as if such board members or officers had remained in office until delivery of such credit instrument.

(d) Neither the board members executing the credit instruments of the board nor any other board members shall be subject to any personal liability or accountability by reason of the issuance of the credit instruments.

(4) The board is authorized, by offering for public negotiated sale, to issue, sell, and deliver credit instruments, bearing interest at a fixed or variable rate as shall be determined by the board[, which shall mature no later than ten years after issuance,] in the name of the board in an amount determined by the board. Such credit instruments may be issued, sold, and delivered for the purposes set forth in subdivision (1) of this subsection. Such credit instrument may only be issued upon the approval of a resolution authorizing such issuance by a simple majority of the members of the board, with no other proceedings required.

(5) The board shall provide for the payment of the principal of the credit instruments, any redemption premiums, the interest on the credit instruments, and the costs attributable to the credit instruments being issued or outstanding as provided in this chapter. Unless the board directs otherwise, the credit instrument shall be repaid in the same time frame and in the same amounts as would be required for loans issued pursuant to 42 U.S.C. Section 1321[; however, in no case shall credit instruments be outstanding for more than ten years].

(6) The board may irrevocably pledge money received from the credit instrument and financing agreement repayment surcharge under subsection 3 of section 288.128, and other money legally available to it, which is deposited in an account authorized for credit instrument repayment in the special employment security fund, provided that the general assembly has first appropriated moneys received from such surcharge and other moneys deposited in such account for the payment of credit instruments.

(7) Credit instruments issued under this section shall not constitute debts of this state or of the board or any agency, political corporation, or political subdivision of this state and are not a pledge of the faith and credit of this state, the board or of any of those governmental entities and shall not constitute an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The credit instruments are payable only from revenue provided for under this chapter. The credit instruments shall contain a statement to the effect that:

(a) Neither the state nor the board nor any agency, political corporation, or political subdivision of the state shall be obligated to pay the principal or interest on the credit instruments except as provided by this section; and

(b) Neither the full faith and credit nor the taxing power of the state nor the board nor any agency, political corporation, or political subdivision of the state is pledged to the payment of the principal, premium, if any, or interest on the credit instruments.

(8) The board pledges and agrees with the owners of any credit instruments issued under this section that the state will not limit or alter the rights vested in the board to fulfill the terms of any agreements made with the owners or in any way impair the rights and remedies of the owners until the credit instruments are fully discharged.

(9) The board may prescribe the form, details, and incidents of the credit instruments and make such covenants that in its judgment are advisable or necessary to properly secure the payment thereof. If such credit instruments shall be authenticated by the bank or trust company acting as registrar for such by the manual signature of a duly authorized officer or employee thereof, the duly authorized officers of the board executing and attesting such credit instruments may all do so by facsimile signature provided such signatures have been duly filed as provided in the uniform facsimile signature of public officials law, sections 105.273 to 105.278, when duly authorized by resolution of the board, and the provisions of section 108.175 shall not apply to such credit instruments. The board may provide for the flow of funds and the establishment and maintenance of separate accounts within the special employment security fund, including the interest and sinking account, the reserve account, and other necessary accounts, and may make additional covenants with respect to the credit instruments in the documents authorizing the issuance of credit instruments including refunding credit instruments. The resolutions authorizing the issuance of credit instruments may also prohibit the further issuance of credit instruments or other obligations payable from appropriated moneys or may reserve the right to issue additional credit instruments to be payable from appropriated moneys on a parity with or subordinate to the lien and pledge in support of the credit instruments being issued and may contain other provisions and covenants as determined by the board, provided that any terms, provisions or covenants provided in any resolution of the board shall not be inconsistent with the provisions of this section.

(10) The board may issue credit instruments to refund all or any part of the outstanding credit instruments issued under this section including matured but unpaid interest. As with other credit instruments issued under this section, such refunding credit instruments may bear interest at a fixed or variable rate as determined by the board.

(11) The credit instruments issued by the board, any transaction relating to the credit instruments, and profits made from the sale of the credit instruments are free from taxation by the state or by any municipality, court, special district, or other political subdivision of the state.

(12) As determined necessary by the board the proceeds of the credit instruments less the cost of issuance shall be placed in the state's unemployment compensation fund and may be used for the purposes for which that fund may otherwise be used. If those net proceeds are not placed immediately in the unemployment compensation fund they shall be held in the special employment security fund in an account designated for that purpose until they are transferred to the unemployment compensation fund provided that the proceeds of refunding credit instruments may be placed in an escrow account or such other account or instrument as determined necessary by the board.

(13) The board may enter into any contract or agreement deemed necessary or desirable to effectuate cost-effective financing hereunder. Such agreements may include credit enhancement, credit support, or interest rate agreements including, but not limited to, arrangements such as municipal bond insurance; surety bonds; tax anticipation notes; liquidity facilities; forward agreements; tender agreements; remarketing agreements; option agreements; interest rate swap, exchange, cap, lock or floor agreements; letters of credit; and purchase agreements. Any fees or costs associated with such agreements shall be deemed administrative expenses for the purposes of calculating the credit instrument and financing agreement repayment surcharge under subsection 3 of section 288.128. The board, with consideration of all other costs being equal, shall give preference to Missouri-headquartered financial institutions, or those out-of-state-based financial institutions with at least one hundred Missouri employees.

(14) To the extent this section conflicts with other laws the provisions of this section prevail. This section shall not be subject to the provisions of sections 23.250 to 23.298.

(15) If the United States Secretary of Labor holds that a provision of this subsection or of any provision related to the levy or use of the credit instrument and financial agreement repayment surcharge does not conform with a federal statute or would result in the loss to the state of any federal funds otherwise available to it the board, in cooperation with the department of labor and industrial relations, may administer this subsection, and other provisions related to the credit instrument and financial agreement repayment surcharge, to conform with the federal statute until the general assembly meets in its next regular session and has an opportunity to amend this subsection or other sections, as applicable.

(16) Nothing in this chapter shall be construed to prohibit the officials of the state from borrowing from the government of the United States in order to pay unemployment benefits under subsection 1 of this section or otherwise.

(17) (a) As used in this subdivision the term "lender" means any state or national bank.

(b) The board is authorized to enter financial agreements with any lender for the purposes set forth in subdivision (1) of this subsection, or to refinance other financial agreements in whole or in part, upon the approval of the simple majority of the members of the board of a resolution authorizing such financial agreements, with no other proceedings required. [In no instance shall the outstanding obligation under any financial agreement continue for more than ten years.] Repayment of obligations to lenders shall be made from the special employment security fund, section 288.310, subject to appropriation by the general assembly.

(c) Financial agreements entered into under this subdivision shall not constitute debts of this state or of the board or any agency, political corporation, or political subdivision of this state and are not a pledge of the faith and credit of this state, the board or of any of those governmental entities and shall not constitute an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The financial agreements are payable only from revenue provided for under this chapter. The financial agreements shall contain a statement to the effect that:

a. Neither the state nor the board nor any agency, political corporation, or political subdivision of the state shall be obligated to pay the principal or interest on the financial agreements except as provided by this section; and

b. Neither the full faith and credit nor the taxing power of the state nor the board nor any agency, political corporation, or political subdivision of the state is pledged to the payment of the principal, premium, if any, or interest on the financial agreements.

(d) Neither the board members executing the financial agreements nor any other board members shall be subject to any personal liability or accountability by reason of the execution of such financial agreements.

(e) The board may prescribe the form, details and incidents of the financing agreements and make such covenants that in its judgment are advisable or necessary to properly secure the payment thereof provided that any terms, provisions or covenants provided in any such financing agreement shall not be inconsistent with the provisions of this section. If such financing agreements shall be authenticated by the bank or trust company acting as registrar for such by the manual signature of a duly authorized officer or employee thereof, the duly authorized officers of the board executing and attesting such financing agreements may all do so by facsimile signature provided such signatures have been duly filed as provided in the uniform facsimile signature of public officials law, sections 105.273 to 105.278, when duly authorized by resolution of the board and the provisions of section 108.175 shall not apply to such financing agreements.

(18) The commission may issue credit instruments to refund all or any part of the outstanding borrowing issued under this section including matured but unpaid interest.

(19) The credit instruments issued by the commission, any transaction relating to the credit instruments, and profits made from the issuance of credit are free from taxation by the state or by any municipality, court, special district, or other political subdivision of the state.

3. In event of the suspension of this law, any unobligated funds in the unemployment compensation fund, and returned by the United States Treasurer because such Federal Social Security Act is inoperative, shall be held in custody by the treasurer and under supervision of the division until the legislature shall provide for the disposition thereof. In event no disposition is made by the legislature at the next regular meeting subsequent to suspension of said law, then all unobligated funds shall be returned ratably to those who contributed thereto.

4. For purposes of this section, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, the revisor of statutes shall renumber subdivision (16) of subsection 2 of such section as subdivision (17) of such subsection and renumber subdivision (17) of subsection 2 of such section as subdivision (16) of such subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted by the following vote:

AYES: 124

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kratky	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
McCaherty	McDonald	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Scharnhorst	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 017

Bahr	Carlson	Dugger	Franz	Guernsey
Kelly 24	Kirkton	Koenig	Korman	Marshall
Neth	Pollock	Schad	Schatz	Schieber
Schupp	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hoskins	Hughes	Klippenstein	Lampe
Largent	Loehner	May	McCann Beatty	McGeoghegan
McGhee	Nasheed	Pierson	Sater	Sifton
Walton Gray	Webb			

On motion of Representative Fisher, **HCS HB 163, as amended**, was adopted.

On motion of Representative Fisher, **HCS HB 163, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 91**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 16, introduced by Representatives Dugger and Wells, relating to initiative and referendum petitions.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 14, introduced by Representative Silvey, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

HB 15, introduced by Representative Silvey, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 372, introduced by Representative Smith (150), relating to Title I services for students.

HB 373, introduced by Representatives Faith and Zerr, relating to election authorities.

HB 374, introduced by Representatives Barnes, Kelly (24), Richardson, Jones (117) and Diehl, relating to the Missouri false claims act.

HB 375, introduced by Representatives Zimmerman, Carlson, Spreng, Fallert, Weter, Colona, Oxford, Atkins, Schieffer, Kirkton, Hummel, Casey, Ellinger and Lampe, relating to absentee voting.

HB 376, introduced by Representatives Zimmerman, Carlson, Fallert, McManus, Weter, Colona, Oxford, Atkins, Schieffer, Kirkton, Hummel, Casey, Rizzo, Ellinger and Lampe, relating to telemarketing.

HB 377, introduced by Representatives Zimmerman, Carlson, McManus, Weter, Colona, Oxford, Atkins, Kirkton, Hummel, Casey, Rizzo, Ellinger and Lampe, relating to lobbying.

HB 378, introduced by Representatives Zimmerman, Carlson, Fallert, Weter, Oxford, Atkins, Schieffer, Kirkton, Taylor, Hummel, Casey, Ellinger and Lampe, relating to the Missouri sunshine law.

HB 379, introduced by Representatives Zimmerman, Carlson, Fallert, McManus, Colona, Oxford, Atkins, Schieffer, Kirkton, Hummel, Casey, Ellinger and Lampe, relating to ballots.

HB 380, introduced by Representatives Zimmerman, Schupp, Carlson, Spreng, Fallert, McManus, Weter, Colona, Oxford, Atkins, Schieffer, Kirkton, Taylor, Casey, Rizzo, Ellinger and McGeoghegan, relating to senior citizen homestead deferral of taxes.

HB 381, introduced by Representatives Zimmerman, Carlson, Colona, Oxford, Atkins, Kirkton, Casey and Ellinger, relating to ranked-choice voting.

HB 382, introduced by Representatives Zimmerman, Carlson, Fallert, McManus, Colona, Oxford, Atkins, Schieffer, Kirkton, Spreng, Hummel, Casey, Ellinger, McGeoghegan and Lampe, relating to absentee voting.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 68**, entitled:

An act to repeal section 21.400, RSMo, and to enact in lieu thereof one new section relating to subpoenas issued by the general assembly, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Curls.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 1, 2011.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Eleventh Day, Tuesday, January 25, 2011, Page 227, Line 35, by inserting after the word "noted:" the name "Diehl".

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 4.
Public hearing to be held on: HJR 3, HB 209

AGRICULTURE POLICY

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 100
Executive session may be held on any matter referred to the committee.
Possible work session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 4.
Budget presentation continued by the Department of Natural Resources.
Budget presentation by the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 4.
Budget presentation continued by the Department of Natural Resources.
Budget presentation by the Department of Conservation.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Budget presentation continued by the Department of Elementary and Secondary Education.
Budget presentation by the Department of Higher Education.

APPROPRIATIONS - EDUCATION

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Presentation by Higher Education Institution Presidents.

APPROPRIATIONS - EDUCATION

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentation: Office of Administration Leasing.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 2, 2011, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Budget Presentation: Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 3.

Department of Corrections Budget.

Convene at 2:00 PM; short recess for dinner; reconvene meeting after recess.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM; short recess for dinner at 5:00 PM; reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Testimony will be submitted by Missouri Department of Transportation (MoDOT).

CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Department of Labor and Industrial Relations (DOLIR).

BUDGET

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 3, HB 236

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 315, HB 235, HCR 12

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 1, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development.

CANCELLED

ELECTIONS

Tuesday, February 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54

Executive session to be held on: HB 107, HB 186, HB 171, HB 217

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48

Executive session to be held on: HB 138, HB 219

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 2, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 83, HB 109, HB 173

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 46, HB 90

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 5.

Informational Meeting.

HIGHER EDUCATION

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 13, HB 174

Executive session may be held on any matter referred to the committee.

CANCELLED

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 2, 2011, 4:00 PM House Hearing Room 6.

Executive Session will be held: HB 61

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center to speak on the drinking water and waste water revolving fund.

CANCELLED

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center to speak on the drinking water and waste water revolving fund.

SMALL BUSINESS

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 68, HB 86

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 2, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

TRANSPORTATION

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 58, HB 33, HB 167, HB 141

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 4, HB 104

VETERANS

Tuesday, February 1, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

CANCELLED

VETERANS

Tuesday, February 1, 2011, 5:00 PM Senate Lounge.

This will be a joint committee meeting between the House of Representatives Veterans Committee and the Senate Veterans Committee.

This committee meeting will be for informational purposes only.

CANCELLED

VETERANS

Tuesday, February 08, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303, the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 16

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 14 and HB 15

HOUSE BILLS FOR SECOND READING

HB 372 through HB 382

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher

HOUSE BILLS FOR THIRD READING

HCS HB 163, E.C. - Fisher

SENATE BILLS FOR SECOND READING

SCS SB 68

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 1, (1-25-11, Pages 224-225) - Smith (150)

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God is love: and he that dwelleth in love dwelleth in God and God in him. (1 John 4:16)

O God, You are the Father of all weather. We thank You for every expression of Your love to us, and for the experience of love we enjoy in the home, in our circle of friends, and here in the halls of the State House.

Strengthen the ties that bind us together. Give us courtesy and consideration in our attitude toward one another. May we not allow our disagreements to make us disagreeable, or our differences to make a difference in our relationships, but now and always may the spirit of goodwill abide in our hearts. Keep us ever mindful of Your presence, eager to do Your will and loyal to the dignity within ourselves.

We pray for rapid healing of Representative Wanda Brown, may the Divine physician grant her the recuperation necessary to resume her duties.

Protect our State and its citizens during this period of snow emergency. Protect all who must travel, work and serve today and tomorrow. Restrain this wintery blast according to Your will.

Finally, as we begin the month dedicated to recalling the contributions of all Africans and African-Americans to the history of our nation and state may our eyes truly see the dignity of all peoples. We beg this in the name of the One in Heaven. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 133

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24

Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McDonald	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Newman
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 028

Brattin	Brown 116	Curls	Diehl	Ellinger
Funderburk	Holsman	Hughes	Kander	Klippenstein
Leach	May	McCann Beatty	McGeoghegan	Meadows
Nasheed	Neth	Pierson	Riddle	Sater
Schad	Sifton	Taylor	Walton Gray	Webb
Webber	Wells	Zimmerman		

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 16 was read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 14 and **HB 15** were read the second time.

SECOND READING OF HOUSE BILLS

HB 372 through **HB 382** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 68 was read the second time.

THIRD READING OF HOUSE BILL

HCS HB 163, relating to unemployment compensation benefits, was taken up by Representative Fisher.

On motion of Representative Fisher, **HCS HB 163** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Long	McCaherty	McDonald
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Phillips	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Scharnhorst	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 014

Bahr	Day	Dugger	Entlicher	Guernsey
Kelly 24	Koenig	Loehner	Marshall	Parkinson
Pollock	Schatz	Schieber	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 026

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hughes	Kander	Klippenstein	Leach
May	McCann Beatty	McGeoghegan	Meadows	Nasheed
Neth	Pierson	Riddle	Sater	Schad
Sifton	Smith 71	Walton Gray	Webb	Webber
Zimmerman				

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 008

Dugger	Guernsey	Koenig	Marshall	Parkinson
Pollock	Schieber	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hughes	Kander	Klippenstein	Leach
May	McCann Beatty	McGeoghegan	Nasheed	Neth
Pierson	Riddle	Sater	Schad	Sifton
Walton Gray	Webb	Webber	Zimmerman	

THIRD READING OF SENATE CONCURRENT RESOLUTION

SCR 1, relating to electric renewable standard requirements, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SCR 1** was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Burlison	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Nichols	Nolte	Pace	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 016

Anders	Atkins	Carlson	Kelly 24	Kirkton
McDonald	McNeil	Newman	Peters-Baker	Redmon
Schupp	Smith 71	Spreng	Still	Swearingen
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hughes	Kander	Klippenstein	Leach
May	McCann Beatty	McGeoghegan	Nasheed	Neth
Oxford	Pierson	Riddle	Sater	Schad
Sifton	Walton Gray	Webb	Webber	Zimmerman

Speaker Tilley declared the bill passed.

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 9

Relating to the calling of an amendment convention.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article V of the Constitution of the United States provides that "on application of the legislatures of two-thirds of the several states" the calling of a convention for the purpose of proposing amendments to such Constitution is authorized; and

WHEREAS, any amendment proposed by the convention "shall be valid to all intents and purposes as part" of the Constitution of the United States "when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress"; and

WHEREAS, in the interests of preserving principles of federalism and state sovereignty, such an amendment convention should be restricted to considering the following amendment only:

"Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed."; and

WHEREAS, this resolution is submitted as an official application by the State of Missouri, which when joined by two-thirds of the several states, shall authorize the calling of an amendment convention for the purpose stated in this resolution:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby apply and make application to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the limited purpose of a constitutional amendment that permits the repeal of any federal law or regulation by a vote of two-thirds of the state legislatures, and the Missouri Delegation to such convention, when called, shall propose the following amendment:

"Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed."; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives prepare copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, and each presiding officer of each state legislative chamber in the United States.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 383, introduced by Representatives Pace, Nasheed, Walton Gray, Carter, Hummel, Smith (71), Jones (63), Ellinger, Denison, Colona, McGhee, Kelly (24), Zimmerman, Black, Oxford, Schieffer, Atkins, Curls, Nance, Meadows and Hubbard, relating to the crimes of assault and tampering with a judicial officer.

HB 384, introduced by Representatives Black, Dieckhaus, Fitzwater, Zerr, Schupp, Fallert, McManus and Kratky, relating to incarcerated sexual offenders.

HB 385, introduced by Representatives Faith, Schoeller, Jones (89), Sater, Black, Denison, Nolte, Allen, Weter, Brandom, Cauthorn, Brown (85), Lair, Day, Largent, Dieckhaus, Schneider, McGhee, Hodges, Schieffer, Casey, Meadows, Kratky, Gatschenberger, Molendorp, Guernsey, Riddle, Cierpiot, Koenig, Leara, Cox, Schad, Fisher, Funderburk, Burlison, Higdon, Hummel, Harris, Leach, Zerr, McCaherty, Cookson, Hoskins, Franklin, Berry, Wyatt, Gosen, Diehl, Barnes, Shively, Quinn, Fallert, Schieber, Fitzwater, Wallingford, Korman, Cross, Grisamore, Frederick, Bahr, Asbury, Fuhr, Lasater, Swinger, Stream, Thomson, Wieland, Reiboldt, Long, Hough, Nance, Kelley (126), Johnson, Houghton, Redmon, Fraker, Flanigan, Scharnhorst, Franz, Ruzicka, Wells, Pollock, Davis, Lichtenegger, Shumake, Brown (50), Elmer, Keeney, Parkinson, McNary, Conway (27), Loehner and Dugger, relating to a tax credit for contributions to pregnancy resource centers.

HB 386, introduced by Representatives Nance, Kirkton, Schneider, Pace and Nolte, relating to small claims actions.

HB 387, introduced by Representatives Wyatt, Franklin, Lichtenegger, Fitzwater and Jones (63), relating to youth athlete brain injuries.

HB 388, introduced by Representative Burlison, relating to patient information provided in advance of certain surgical procedures.

HB 389, introduced by Representatives Holsman and Oxford, relating to the preschool plus program.

HB 390, introduced by Representatives Holsman and Oxford, relating to the KidCare Co-op program.

HB 391, introduced by Representatives Holsman and Oxford, relating to medical assistance benefits.

COMMUNICATIONS

January 31, 2011

Mr. D. Adam Crumbliss
Chief Clerk, Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to section 105.461, RSMo, I am hereby filing a written report of personal interest in Legislation, on which the House of Representatives may vote during the Legislative Session. I am a retired member of the Lagers and Cerf Retirement systems.

In compliance with section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Galen W. Higdon, Jr.
State Representative
District 29

February 1, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue, Room 306C
Jefferson City, MO 65101

Dear Adam:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session.

In compliance with section 105.461, RSMo, please publish this letter in the Journal of the House.

I am a retired teacher drawing retirement from PSRS.

Thank you.

Sincerely,

/s/ Ira Anders
State Representative
District 51

The following members' presence was noted: Ellinger, Holsman, Kander, Leach and Schad.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 2, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, February 2, 2011, 12:30 PM House Hearing Room 6.

Executive Session will be held: HJR 3, HB 209

Executive session may be held on any matter referred to the committee.

AGRI-BUSINESS

Thursday, February 3, 2011, South Gallery upon morning adjournment.

Executive Session will be held: HJR 3, HB 209

Executive session may be held on any matter referred to the committee.

CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

APPROPRIATIONS - EDUCATION

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Presentation by Higher Education Institution Presidents.

CANCELLED

APPROPRIATIONS - EDUCATION

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Presentation continued by Higher Education Institution Presidents.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 2, 2011, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Budget Presentation: Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 budget presentation.

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Department of Labor and Industrial Relations (DOLIR).

CANCELLED

BUDGET

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 3, HB 236

Executive session may be held on any matter referred to the committee.

CANCELLED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

CANCELLED

DOWNSIZING STATE GOVERNMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 315, HB 235, HCR 12

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 138, HB 219, HB 48

Executive session may be held on any matter referred to the committee.

CANCELLED

FINANCIAL INSTITUTIONS

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Public hearing to be held on: HB 83, HB 109, HB 173

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 2, 2011, 4:00 PM House Hearing Room 6.

Executive Session will be held: HB 61

Executive session may be held on any matter referred to the committee.

CANCELLED

JUDICIARY

Wednesday, February 2, 2011, House Hearing Room 1 upon morning adjournment.

Public hearing to be held on: HB 128, HB 130, HB 227

Executive session may be held on any matter referred to the committee.

Executive session will be held: HB 35, HB 88

CANCELLED

LOCAL GOVERNMENT

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265

Executive session may be held on any matter referred to the committee.

CANCELLED

RETIREMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

SMALL BUSINESS

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 68, HB 86

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 2, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

CANCELLED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 4, HB 104

CANCELLED

VETERANS

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303, the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

WAYS AND MEANS

Thursday, February 3, 2011, 8:30 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 151, HB 55

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2011

HOUSE BILLS FOR SECOND READING

HB 383 through HB 391

HOUSE BILLS FOR PERFECTION

1 HCS HB 91 - Nolte

2 HB 162 - Fisher

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2011

The House met pursuant to adjournment.

Representative Brown (85) in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS

HB 383 through **HB 391** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 11 - Downsizing State Government

HJR 14 - Elections

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 14 - Budget

HB 15 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 103 - Tourism and Natural Resources

HB 110 - Health Care Policy

HB 123 - General Laws

HB 125 - General Laws

HB 147 - Transportation Funding and Public Institutions

HB 184 - Local Government

HB 199 - Crime Prevention and Public Safety

HB 212 - Higher Education
HB 229 - Retirement
HB 231 - Higher Education
HB 232 - Higher Education
HB 242 - Transportation
HB 247 - Crime Prevention and Public Safety
HB 248 - Ways and Means
HB 250 - Tourism and Natural Resources
HB 252 - General Laws
HB 253 - Judiciary
HB 254 - Judiciary
HB 255 - Judiciary
HB 256 - Judiciary
HB 257 - Judiciary
HB 258 - General Laws
HB 259 - Children and Families
HB 260 - Judiciary
HB 271 - General Laws
HB 279 - Financial Institutions
HB 281 - Agriculture Policy
HB 284 - Tourism and Natural Resources
HB 287 - Professional Registration and Licensing
HB 294 - General Laws
HB 301 - Professional Registration and Licensing
HB 302 - Corrections
HB 304 - Ways and Means
HB 319 - Workforce Development and Workplace Safety
HB 320 - Workforce Development and Workplace Safety
HB 326 - Professional Registration and Licensing
HB 329 - Elections
HB 330 - Transportation Funding and Public Institutions
HB 331 - General Laws
HB 332 - Agriculture Policy
HB 338 - Utilities
HB 339 - Utilities
HB 366 - Economic Development

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 17, introduced by Representatives Smith (150), Fitzwater, Lant, Wright, Rowland, Crawford, Schoeller, Hinson, Hough, Pollock and Loehner, relating to freedom in agriculture.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 392, introduced by Representatives White, Sater, Davis, Lant, Flanigan, Kelley (126), Entlicher, Rizzo, Franklin and Frederick, relating to the adult health care consent act.

HB 393, introduced by Representatives Jones (89), Dieckhaus, McNary, Barnes, Richardson, Koenig, Schoeller and Cross, relating to the parent empowerment and choice act.

HB 394, introduced by Representatives Cookson, Fitzwater, Guernsey, Rowland, Phillips and Wright, relating to license plates for property-carrying commercial motor vehicles.

HB 395, introduced by Representatives Cookson, Fitzwater, Wells, Rowland, Phillips, Wright, Bahr, Franz and Denison, relating to operating a motorized vessel with excessive blood alcohol content.

HB 396, introduced by Representative Diehl, relating to the Missouri prosecuting attorneys and circuit attorneys retirement system fund.

HB 397, introduced by Representative Diehl, relating to sales commissions.

HB 398, introduced by Representative Diehl, relating to fiduciaries.

HB 399, introduced by Representative Diehl, relating to fiduciaries.

HB 400, introduced by Representative Diehl, relating to transient guest taxes for promoting tourism.

HB 401, introduced by Representative Diehl, relating to unclaimed property.

HB 402, introduced by Representatives Diehl and Korman, relating to liens for architects, professional engineers, land surveyors, and landscape architects.

The following members' presence was noted: Allen, Anders, Asbury, Atkins, Aull, Bahr, Bernskoetter, Berry, Black, Brandom, Burlison, Carlson, Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Entlicher, Faith, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Franz, Frederick, Fuhr, Gatschenberger, Gosen, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Hough, Houghton, Hubbard, Johnson, Jones (63), Jones (89), Jones (117), Keeney, Kelley (126), Kelly (24), Koenig, Korman, Kratky, Lair, Lampe, Lant, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McDonald, McNary, McNeil, Meadows, Molendorp, Montecillo, Newman, Nichols, Nolte, Oxford, Pace, Parkinson, Peters-Baker, Phillips, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schatz, Schieber, Schieffer, Schoeller, Schupp, Shively, Shumake, Silvey, Smith (71), Smith (150), Solon, Spreng, Swearingen, Swinger, Talboy, Taylor, Thomson, Tilley, Torpey, Wallingford, Wells, Weter, White, Wieland, Wright, Wyatt and Zerr.

ADJOURNMENT

On motion of Representative Brown (85), the House adjourned until 10:00 a.m., Thursday, February 3, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, February 3, 2011, South Gallery upon morning adjournment.

Executive Session will be held: HJR 3, HB 209

Executive session may be held on any matter referred to the committee.

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

DOWNSIZING STATE GOVERNMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 315, HB 235, HCR 12

Executive session may be held on any matter referred to the committee.

CANCELLED

RETIREMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 1.
Presentations from: MOSERS, MPERS, LAGERS & PSRS
CANCELLED

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 112, HB 285, HJR 5
Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 3, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HCR 4, HB 104
CANCELLED

VETERANS

Tuesday, February 08, 2011, 8:00 AM House Hearing Room 1.
Public hearing to be held on: HB 303
Executive session may be held on any matter referred to the committee.
This will be on HB 303; the previous hearing on this bill was cancelled due to weather.
Members should already have a copy.

WAYS AND MEANS

Thursday, February 03, 2011, 8:30 AM House Hearing Room 5.
Public hearing to be held on: HB 222, HB 151, HB 55
Executive session may be held on any matter referred to the committee.
CANCELLED

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 3, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 17

HOUSE BILLS FOR SECOND READING

HB 392 through HB 402

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 3, 2011

The House met pursuant to adjournment.

Representative Gosen in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 355 through House Resolution No. 411

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 17 was read the second time.

SECOND READING OF HOUSE BILLS

HB 392 through **HB 402** were read the second time.

COMMITTEE REPORT

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 209**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 403, introduced by Representative Brandom, relating to landlord/tenant actions in small claims court.

HB 404, introduced by Representatives Weter, Nance, Wright, Dieckhaus, Koenig, McDonald, Kirkton, Wyatt, Curtman, Lichtenegger, Lampe, Still, Newman, Lant, Webb, Pollock, Quinn, Schupp, Fraker, Aull, Reiboldt, Holsman, Grisamore, Stream, Ellinger, Walton Gray, Hodges, Carter, Fallert and Zerr, relating to security deposits.

HB 405, introduced by Representatives Crawford, Kelley (126), Houghton, Entlicher, Fitzwater, Schoeller and Jones (117), relating to commercial dog breeders.

HB 406, introduced by Representatives Wieland, Koenig, Meadows, Harris, Curtman, Schieffer, Redmon and McCaherty, relating to the use of automated photo red light enforcement systems by local governments.

HB 407, introduced by Representatives Wieland, Nance and Gosen, relating to certificates of insurance for property and casualty insurance coverage.

HB 408, introduced by Representatives Koenig, Davis, Lant, Curtman, White, Burlison, McNary, Schoeller and Higdon, relating to taxation.

HB 409, introduced by Representatives Koenig, McNary, Stream, Bahr, Gosen and McGhee, relating to the defined contribution plan for teachers.

HB 410, introduced by Representative Loehner, relating to school expulsion or suspension.

COMMUNICATION

February 2, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As sole owner of Wieland Insurance Group, LLC, I sell and service multiple lines of insurance.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best Regards,

/s/ Paul Wieland
District 102

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Barnes, Bernskoetter, Berry, Black, Brandom, Brown (85), Carlson, Carter, Conway (14), Conway (27), Cookson, Crawford, Cross, Curtman, Davis, Day, Denison, Diehl, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Frederick, Fuhr, Gatschenberger, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Holsman, Houghton, Hubbard, Hummel, Johnson, Jones (117), Kelley (126), Kelly (24), Koenig, Korman, Kratky, Lant, Lauer, Leach, Lichtenegger, Loehner, Long, Marshall, McDonald, Meadows, Molendorp, Montecillo, Pace, Phillips, Pollock, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schieber, Schieffer, Schoeller, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Swinger, Talboy, Taylor, Thomson, Torpey, Wallingford, Wells, Weter, Wieland, Wright, Wyatt and Zerr.

ADJOURNMENT

On motion of Representative Gosen, the House adjourned until 4:00 p.m., Monday, February 7, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 100

Executive session may be held on any matter referred to the committee.

Possible work session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Budget presentation continued by the Department of Elementary and Secondary Education.

Budget presentation by the Department of Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 7, 2011, 12:00 PM House Hearing Room 5.

Budget Presentations: Elected Officials - Governor, Auditor, Treasurer, and Attorney General Offices Judiciary Public Defender.

CORRECTED

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 7, 2011, 5:00 PM House Hearing Room 3.

Budget Presentations: Elected Officials - Governor, Auditor, Treasurer, and Attorney General Offices Judiciary Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

BUDGET

Monday, February 7, 2011, 1:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 3, HB 236

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Monday, February 7, 2011, 1:00 PM House Hearing Room 1.
Public hearing to be held on: HB 315, HB 235, HCR 12, HB 139

ECONOMIC DEVELOPMENT

Tuesday, February 8, 2011, 5:00 PM House Hearing Room 7.
Presentation from the Division of Workforce Development.

ELECTIONS

Tuesday, February 8, 2011, 8:15 AM House Hearing Room 5.
Public hearing to be held on: HJR 14, HB 329, HB 187, HB 54
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.
Public hearing to be held on: HB 83, HB 109, HB 173

GENERAL LAWS

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 4.
Public hearing to be held on: HB 233, HB 274, HB 276
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 213, HB 29
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 5.
Public hearing to be held on: HB 280
Executive session may be held on any matter referred to the committee.
Informational Meeting (from 2-1-2011) will be continued after HB 280.

HIGHER EDUCATION

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HCR 13, HB 174, HB 232
Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 35, HB 88, HB 128, HB 130, HB 227, HB 253
Executive session may be held on any matter referred to the committee.
Note: Copies of HB35, HB88, HB128, HB130, and HB227 have been previously distributed with the meeting notice scheduled for 02/02/11 that was cancelled due to inclement weather.

LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265, HB 287

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 7, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive Session will be held: HB 46, HCR 9

Executive Session on any additional bills which may be referred to Rules pursuant to Rule 25(32)(f).

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 7, 2011, House Hearing Room 2 upon afternoon adjournment.

Organizational Meeting.

URBAN ISSUES

Monday, February 7, 2011, 5:00 PM House Hearing Room 5.

Presentations on Urban Crime.

VETERANS

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303, the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2011

HOUSE BILLS FOR SECOND READING

HB 403 through HB 410

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Beth Duckworth, First Methodist Churches of Mokane, Steedman, and Tebbetts.

Dear Holy and Righteous God. We pause at this time and humble ourselves before Your greatness. Your majesty is so vast the heavens cannot contain You. As leaders, we realize it is a sacred privilege to have been elected and appointed to serve in these offices by the people of the State of Missouri. With this in mind, I ask that You sharpen our minds and make sensitive our hearts so we might discern Your preferences. Our primary goal today is to please You, accomplishing Your will and not our own. It takes many to perform these tasks, so please surround these dignitaries with men and women who would be sensitive to Your voice and are willing to give virtuous counsel.

We take the time to remember the citizens of this state. Please lend them Your favor. Unite them and instill in them a renewed vision, the same optimistic vision You foreordained for those men and women who founded this territory. In the era of today our needs are varied, from economic rejuvenation - to guidance in how to preserve the precious natural resources - to providing outstanding education for our young people. Forgive us for the times when we may have missed the mark. Let each one in this room today see themselves as the marshals of justice, the hands for those who have no access, and the voices for those who have no voice. I ask that the presence of the Holy Spirit grace us now, lending wisdom, imparting guidance, and bestowing blessings on all in this room. In the name of the Father and the Son and the Holy Spirit. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Dieckhaus	Faith	Funderburk	Hughes
McCann Beatty	Rizzo	Schneider	Spreng	Talboy
Webber	Mr Speaker			

The Journal of the sixteenth day was approved as printed.

The Journal of the seventeenth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 412 through House Resolution No. 497

HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 25.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 26.

Representative Walton Gray offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE BILLS

HB 403 through **HB 410** were read the second time.

HOUSE CONCURRENT RESOLUTION

Representative Jones (89) offered **HCR 24**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 24

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 2:00 p.m., Wednesday, February 9, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **HCR 24** was adopted.

Speaker Tilley assumed the Chair.

SIGNING OF SENATE CONCURRENT RESOLUTION

All other business of the House was suspended while **SCR 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 139**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 411, introduced by Representative Wyatt, relating to developmental disabilities facilities.

HB 412, introduced by Representative Smith (150), relating to wholesale drug distributors.

HB 413, introduced by Representative Keeney, relating to making a false declaration.

HB 414, introduced by Representatives Richardson and McManus, relating to title agencies and agents.

HB 415, introduced by Representatives Richardson, Cookson, Fitzwater and Hampton, relating to the designation of a memorial highway.

HB 416, introduced by Representatives Richardson, Hampton and Cookson, relating to public library district sales taxes.

HB 417, introduced by Representatives Richardson, Cox, Jones (117), Barnes, Elmer, Smith (150) and Long, relating to rights of persons with parental relationships.

HB 418, introduced by Representatives Walton Gray, Meadows, Pace, McCann Beatty, Ellinger, May, Oxford, Jones (63), Schupp, Newman, Webb and Smith (71), relating to a sickle cell disease task force.

The following members' presence was noted: Funderburk and Talboy.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 8, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 100

Executive session may be held on any matter referred to the committee.

Possible work session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 9, 2011, House Hearing Room 4 upon afternoon adjournment.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

CORRECTED

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 1.

Budget presentation continued by the Department of Elementary and Secondary Education.

Budget presentation by the Department of Higher Education.

CORRECTED

APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2011, House Hearing Room 1 upon afternoon adjournment.

Analyst Markup Sheets.

CORRECTED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 8, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Elected Officials - Lieutenant Governor, Secretary of State Offices, and General Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Tax Commission, Lottery Commission, and Department of Revenue.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 9, 2011, House Hearing Room 5 upon afternoon adjournment.

Department of Health and Senior Services FY 2012 Budget overview, continued.

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Presentation from Department of Insurance, Financial Institutions and Professional Registration.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hearing in Hearing Room 3 may recess until 2:00 PM in Hearing Room 7.

Breakfast will be provided for members.

Presentation from the Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 10, 2011, House Hearing Room 7 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by MoDOT.

BUDGET

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Public hearing to be held on: HB 14, HB 15

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 259, HB 143

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 38, HB 154, HB 302

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 214

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 8, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development

ELECTIONS

Tuesday, February 8, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HJR 14, HB 329, HB 187, HB 54

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48, HB 138, HB 219

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing to be held on: HB 83, HB 109, HB 173

FISCAL REVIEW

Thursday, February 10, 2011, 8:30 AM South Gallery.

Any bills referred to the committee.

GENERAL LAWS

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 233, HB 274, HB 276

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 213, HB 29

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 280

Executive session may be held on any matter referred to the committee.

Informational Meeting (from 2-1-2011) will be continued after HB 280.

HIGHER EDUCATION

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 13, HB 174, HB 232

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 9, 2011, 5:30 PM House Hearing Room 7.

Executive session will be held: HB 61

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 128, HB 130, HB 227, HB 253

Executive session will be held: HB 35, HB 88

Executive session may be held on any matter referred to the committee.

Note: Copies of HB128, HB130, and HB227 have been previously distributed with the meeting notice scheduled for 2-02-2011 that was cancelled due to inclement weather.

LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265, HB 287

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.
Presentations from: MOSERS, MPERS, LAGERS and PSRS.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 112, HB 285, HJR 5
Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

SMALL BUSINESS

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 7.
Public hearing to be held on: HB 211, HB 68, HB 86
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.
Organizational Meeting.

TAX REFORM

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HJR 8
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 7.
Public hearing to be held on: HB 33, HB 153, HB 141, HB 242
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 104, HB 147, HB 330
AMENDED

UTILITIES

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 338, HB 339
Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 8, 2011, 8:30 AM House Hearing Room 1.
Public hearing to be held on: HB 303
Executive session may be held on any matter referred to the committee.
This will be on HB 303, the previous hearing on this bill was cancelled due to weather.
Members should already have a copy.

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, February 8, 2011, 2:00 PM South Gallery.

Executive session will be held: HB 205

Executive session may be held on any matter referred to the committee.

HB 205 Executive Session only

CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2011

HOUSE BILLS FOR SECOND READING

HB 411 through HB 418

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher
- 3 HCS HB 46 - Diehl
- 4 HB 71 - Nasheed

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not weary; and they shall walk and not faint. (Isaiah 40:31)

Quietly and sincerely, Our Father, do we wait upon You. Without the strength which You alone can give we faint, falter and walk not in faith and love. With the strength You do cause to arise within us, we are made ready for every responsibility, equal to any experience and adequate for all of life. Make us ready for responsibilities of this day, equal to the experiences of this hour and adequate for the actions we take this session of the Missouri House.

Strengthen our Speaker as he leads and presides over us; and all Members of the House as they take action on behalf of our citizens. In Your strength may we be made strong indeed, in the name Almighty we beg and pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as printed.

HOUSE RESOLUTION

Representative Leara offered House Resolution No. 527.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 498 through House Resolution No. 526

House Resolution No. 528 through House Resolution No. 531

HOUSE CONCURRENT RESOLUTION

Representative Nolte, et al., offered House Concurrent Resolution No. 28.

SECOND READING OF HOUSE BILLS

HB 411 through **HB 418** were read the second time.

PERFECTION OF HOUSE BILL

HB 162, relating to workers' compensation, was taken up by Representative Fisher.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 162, Page 1, Section 287.120, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“and in the course of the employee's employment[,] . **The employer, or employee of such employer, shall not be liable for any injury or death for which compensation is recoverable under this chapter** and shall be released from all other liability”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Hummel offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 162, Page 1, Section 287.120, Line 3, by inserting after the word “**disease**” the following:

“**other than mesothelioma**”; and

Further amend said bill, Page 1, Section 287.120, Line 11, by inserting after the word “**disease**” the following:

“**other than mesothelioma**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Gosen	Harris
Higdon	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Pace	Peters-Baker
Pierson	Quinn	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Weter	Zimmerman	

NOES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Guernsey	Haefner	Hampton	Hinson	Hoskins
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Torpey	Wallingford	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Dieckhaus	Faith	Grisamore	Hough
Hughes	Meadows	Oxford	Riddle	Rizzo
Wells				

On motion of Representative Fisher, **HB 162, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 17 - Rural Community Development

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 37 - Workforce Development and Workplace Safety

HB 50 - Financial Institutions

HB 134 - Professional Registration and Licensing

HB 179 - Elementary and Secondary Education

HB 180 - Elections

HB 182 - Tourism and Natural Resources

HB 290 - Local Government

HB 364 - General Laws

HB 369 - Local Government

HB 383 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 3

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution

WHEREAS, under Article V of the Constitution of the United States:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress"; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

"Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. This amendment shall take effect beginning the third fiscal year after its ratification.

Section 5. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.":

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 236**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 18, introduced by Representatives Cox, Gatschenberger, Schad, Koenig, Scharnhorst, Burlison and Day, relating to nonpartisan judicial commissions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 419, introduced by Representatives Stream, Dieckhaus, Lauer, Houghton, Carlson, Kirkton and Spreng, relating to foster care students.

HB 420, introduced by Representatives Stream, Lauer, Kratky, Carlson, Kirkton, Spreng and Brown (85), relating to eating disorders.

HB 421, introduced by Representatives Stream, Redmon, Lauer, Houghton, Spreng and Barnes, relating to developmental disabilities facilities.

HB 422, introduced by Representative Scharnhorst, relating to leave for members of the civil air patrol.

HB 423, introduced by Representatives Burlison, Jones (89), Schoeller, Tilley, Diehl, Molendorp, Houghton, Silvey, Asbury, Koenig, Smith (150), Allen, Leach, Wyatt, Frederick, Ruzicka, Hampton, Lichtenegger, Davis, Curtman, White, Riddle, Kelley (126), Reiboldt, Lant, Zerr, Long, Wells, Crawford, Dugger, Entlicher, Lair, Stream, Thomson, Fisher, Schad, Fitzwater, McGhee, Gatschenberger, Haefner, Cauthorn, Wieland, Richardson, Klippenstein, Berry, Brattin, Neth, Wallingford, Barnes, McNary, Elmer and Flanigan, relating to the health care compact.

HB 424, introduced by Representatives Funderburk, Koenig, Lasater, Wieland, Burlison, Lant, Schieffer and Walton Gray, relating to an official designation of the Christmas season.

HB 425, introduced by Representatives Funderburk, Dieckhaus, Grisamore, Koenig, Lasater and Wieland, relating to Missouri dependency exemptions.

HB 426, introduced by Representative Sifton, relating to maternity health insurance coverage.

HB 427, introduced by Representative Barnes, relating to adoption records.

HB 428, introduced by Representative Cauthorn, relating to environmental permits.

HB 429, introduced by Representatives McGhee, McNeil, Guernsey, Kratky, Carter, Zerr, Faith, Still, Ellinger, Carlson, Conway (27) and Schupp, relating to nonresident entertainer income taxes.

HB 430, introduced by Representatives Burlison, Nolte, Leach, Schoeller, McNary, Long, Funderburk, Koenig, Houghton, Fisher, Scharnhorst, Cauthorn and Parkinson, relating to motor carrier transportation regulated by the state highways and transportation commission.

HB 431, introduced by Representatives Franz, Schoeller, Long and McDonald, relating to foster care and adoption promotion.

HB 432, introduced by Representatives Kander, Shively, Lampe, Still, Quinn, Aull, Harris, Anders, Carlson, Smith (71), Hummel, Black, Taylor, Pace, Kirkton, Schieffer, Schupp and Webber, relating to ethics.

HB 433, introduced by Representatives Kander, Zimmerman, Shively, Lampe, Still, Quinn, Aull, Anders, Harris, Carlson, Smith (71), Hummel, Black, Taylor, Pace, Kirkton, Schupp and Webber, relating to human trafficking.

HB 434, introduced by Representative Nolte, relating to workers' compensation.

HB 435, introduced by Representative Wyatt, relating to county purchases of road rock.

HB 436, introduced by Representatives Fitzwater, Nance and Redmon, relating to sheriff elections.

HB 437, introduced by Representatives McNary, Kelley (126), Redmon, Houghton, Nolte, Berry, Guernsey, Haefner, Brattin, Bahr, Brown (85) and Kander, relating to legislative employees.

HB 438, introduced by Representatives Schupp, Oxford, Walton Gray, Lichtenegger, Carlson, Hummel, Lampe, Newman, Ellinger, McNeil, Black, McDonald, Taylor, Harris, Smith (71), Pierson, Swearingen, May, Pace, Carter, McCann Beatty, Quinn, Kirkton, Curls, Stream, Still and McNeil, relating to the Missouri indoor clean air act.

HB 439, introduced by Representatives Nolte, Nance and Allen, relating to outside the hospital do-not-resuscitate orders.

HB 440, introduced by Representatives Nolte, Nance, Smith (71) and Allen, relating to personal flotation devices.

HB 441, introduced by Representative Nolte, relating to the Missouri clean water law.

HB 442, introduced by Representative Franz, relating to preferences for state contracts.

HB 443, introduced by Representatives McNeil, Smith (71), Newman, Oxford, Carlson and Montecillo, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 444, introduced by Representatives McNeil, Smith (71), Newman, Oxford, Peters-Baker and Montecillo, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 24**.

COMMITTEE APPOINTMENTS

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Administrative Rules:

Representative Todd Richardson
Representative Jay Barnes
Representative Chris Carter

Continuing to serve on this Joint Committee are:

Representative Jason Smith
Representative Mike Talboy

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Corrections:

Representative Linda Black

Continuing to serve on this Joint Committee are:

Representative Michael Brown
Representative Scott Largent
Representative Mike McGhee
Representative Jamilah Nasheed
Representative Dwight Scharnhorst

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Government Accountability:

Representative John Rizzo
Representative Ron Casey
Representative Paul Quinn

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy
House Minority Leader

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Public Employee Retirement:

Representative Tommie Pierson
Representative Ira Anders
Representative Bert Atkins

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy
House Minority Leader

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Tax Policy:

Representative Mike Talboy
Representative Clem Smith

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy
House Minority Leader

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Terrorism, Bioterrorism and Homeland Security:

Representative Jay Swearingen
Representative Stephen Webber
Representative Mary Nichols

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy
House Minority Leader

COMMUNICATION

February 8, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol - Room 306C
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss,

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

I am currently a 50%-owner of First Steps Pediatrics, LLC, a pediatric home health agency, which provides services to children through the Missouri First Steps program and through the Missouri HealthNet program.

In addition, my husband, R. Michael Allen, is Chief Financial Officer of several companies and a member of several LLC companies which redevelop historic properties in the State. These companies frequently utilize State incentives for such redevelopment including the State Historic Preservation Tax Credit and Brownfield Credits.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the Missouri House of Representatives.

Respectfully,

/s/ Sue Allen
State Representative
District 92

The following members' presence was noted: Grisamore, Oxford and Riddle.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 9, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 9, 2011, House Hearing Room 4 upon afternoon adjournment.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

CORRECTED

APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2011, House Hearing Room 1 upon afternoon adjournment.

Analyst Markup Sheets.

CORRECTED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Tax Commission, Lottery Commission, and Department of Revenue.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 9, 2011, House Hearing Room 5 upon afternoon adjournment.

Department of Health and Senior Services FY 2012 Budget overview, continued.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 10, 2011, 8:00 AM House Hearing Room 3.

Continuation of Department of Health and Senior Services budget overview, if necessary.

Department of Mental Health budget overview.

Committee may reconvene after morning adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Presentation from the Department of Economic Development.

CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Economic Development.

At 10:00 AM, hearing will recess and reconvene upon adjournment.

At that time, the hearing will move to House Hearing Room 7 for presentation by MoDOT.

CORRECTED

BUDGET

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Public hearing to be held on: HB 14, HB 15

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 259, HB 143

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 38, HB 154, HB 302

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 214

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 10, 2011, House Hearing Room 4 upon morning adjournment.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

Both bills were previously distributed with February 2nd meeting notice.

February 2nd meeting cancelled because of blizzard.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48

Executive session to be held on: HB 138, HB 219

Executive session may be held on any matter referred to the committee.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing to be held on: HB 83, HB 109, HB 173

FISCAL REVIEW

Thursday, February 10, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 213, HB 29

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 9, 2011, 5:30 PM House Hearing Room 7.

Executive Session will be held: HB 61

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 128, HB 130, HB 227, HB 253

Executive session to be held on: HB 35, HB 88

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265, HB 287

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, February 9, 2011, House Lounge upon afternoon adjournment.

Executive Session will be held: HB 139, HB 209, HB 107

Executive session may be held on any matter referred to the committee.

Public testimony will be taken on House Bill 209 (Guernsey).

SMALL BUSINESS

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 211, HB 68, HB 86

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

TAX REFORM

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HJR 8

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 10, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 89, HB 250

Executive session to be held on: HB 89, HB 189, HB 190

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 104, HB 147, HB 330

AMENDED

WAYS AND MEANS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 316

Executive session to be held on: HB 151, HB 55

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 9, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 419 through HB 444

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HCS HB 46 - Diehl
- 3 HB 71 - Nasheed

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 9, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

This is life eternal, to know Thee the only true God, and the One, whom Thou hast sent. (John 17:3)

Eternal Father of our souls, once more we humbly and reverently bow our heads in Your presence, offering unto You the morning devotion of our hearts. You are the source of light and life. You are the fountain of flowing love. You are in everything that lifts and liberates the human soul. Lift us, we pray You, and liberate our spirits that we may be led from the seen to the unseen, from the unreal to the real, from things as they appear to be to the things as they truly are.

Bless all those who have dedicated their lives to the eradication of all diseases of the human heart. We lift them up in a special way during this month. Guide their efforts and grant every success to their cures.

Give wisdom to our Chief Justice who will be present in this Chamber in a few hours. May his words inspire us in all things to be just and to fear not. May each one of us draw the things as we see it, for the God of things as they are: in Your dear Name, for the good of Missouri, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the nineteenth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 532 through House Resolution No. 541

HOUSE CONCURRENT RESOLUTION

Representative Conway (27), et al., offered House Concurrent Resolution No. 29.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 18 was read the second time.

SECOND READING OF HOUSE BILLS

HB 419 through **HB 444** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 46, relating to fire sprinkler system installations, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 46, Page 1, Section 67.281, Lines 1 to 6, by deleting all of said lines and inserting in lieu thereof the following:

"67.281. **1.** A builder of [single-family] **one- or two-family** dwellings or [residences or multi-unit dwellings of four or fewer units] **townhouses** shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling[, residence,] or [unit] **townhouse**. Notwithstanding any other provision of law to the contrary, no purchaser of such a [single-family] **one- or two-family** dwelling[, residence,] or [multi-unit dwelling] **townhouse** shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or [residence] **townhouse** being purchased"; and

Further amend said bill, Page 1, Section 67.281, Lines 11 to 12, by deleting all of said lines and inserting in lieu thereof the following:

"in connection with the purchase of any [single family] **one- or two-family** dwelling[, residence,] or [multi-unit dwelling of four or fewer units] **townhouse**. The provisions of this section shall expire on December 31, [2011] **2019**"; and

Further amend said bill, Page 1, Section 67.281, Line 12, by inserting after all of said line the following:

"**2. Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in section R317 for two-family dwellings (R317.1) and townhouses (R317.2).**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS HB 46, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 46, as amended**, was ordered perfected and printed by the following vote:

AYES: 149

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey

Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 009

Anders	Carlson	Ellinger	Kirkton	Newman
Oxford	Pierson	Schupp	Still	

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Hughes	Meadows	Rizzo	Taylor
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MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent

Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 116	Denison	Dugger	Hughes	Meadows
Nasheed	Pollock	Rizzo		

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

Representative-elect Leonard (Jonas) Hughes, IV, subscribed to the oath of office, which was administered at 11:20 a.m. by the Honorable Steven Tilley, Speaker of the House of Representatives.

The hour of recess having expired, the House was called to order by Speaker Tilley.

ESCORT COMMITTEE

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 24**: Jones (117), Barnes, Elmer, Marshall, Richardson, Sifton, Carlson, Ellinger, Peters-Baker and McManus.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House pursuant to **HCR 24**: Senators Schmitt, Ridgeway, Chappelle-Nadal, Goodman, Schaefer, McKenna, Wright-Jones, Justus and Keaveny.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and President Pro Tem Robert Mayer, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 030

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey
Dixon	Engler	Goodman	Green	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Crowell	Purgason	Rupp
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VACANCIES: 001

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Oxford	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71

Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Brown 116	Carter	Cross	Curls
Diehl	Franz	Funderburk	Harris	Hodges
Holsman	Korman	McNary	Newman	Nolte
Pace	Parkinson	Rizzo	Scharnhorst	Webb
Zimmerman				

The Doorkeeper announced the approach of the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri. Chief Justice Price was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

by

Chief Justice William Ray Price, Jr.

Mr. Speaker, Mr. President, Mr. President Pro Tem, members of the General Assembly: It is my honor to deliver this 38th State of the Judiciary Address.

I never have seen a more challenging time for our state. Regardless of political philosophy, one thing is clear. Significant cuts have been made and will be made to Missouri's budget. To the extent necessary and possible, the courts have shared and will continue to share in spending reductions without complaint.

The Missouri court system, the third separate but equal constitutional branch of government, operates on less than 2% of the state budget. Yet in 2010 we heard more than 171,000 contract cases, 42,000 landlord-tenant cases, 17,000 juvenile cases, 12,000 probate cases, 110,000 family and domestic cases, 41,000 felony cases, and 115,000 misdemeanor cases. Despite the state's economic condition, whether dipping or hopefully recovering, our workload does not diminish. The court system is a core function of government that must perform, and perform well, for our state to function and thrive.

Don't overlook the obvious. Even in this time of economic challenge, we are still the greatest civilization in the history of humankind, supported by a free market economy that can exist only within the certainty of law. Goods and services can be bought and sold, money can be exchanged, people can plan for the future, but only because they can trust in a fair and impartial judiciary to protect their property and their rights.

There are two specific concerns I want to talk with you about. I spoke about them last year, and they are still the two most important issues that we face together for the future of Missouri. One calls for action; one does not.

First, we continue to over-incarcerate nonviolent offenders, while we have failed to expand drug courts and other diversionary and reentry programs to capacity. The result is a state that is not as safe as we want it to be and a waste of taxpayer dollars.

From the 1980s, in Missouri and across the nation, we attempted to incarcerate our way out of crime and illegal drug use. We thought just putting people in prison would make them better or scare them straight. We spent billions of dollars and it did not work. We were tough on crime, but we were not smart on crime. Consider these numbers.

In 1982, 612,000 people were behind bars in state prisons across the country. By 2008, that number had risen almost fourfold to 2.3 million people. In 2010, the United States incarcerated a higher share of its population than any other country in the world. The cost has been staggering. State correctional spending across our country increased from \$11.7 billion, in 1988, to \$47.3 billion in 2008. (*One in 31: The Long Reach of American Corrections*, The Pew Center on the States, www.pewcenteronthestates.org; *The High Budgetary Cost of Incarceration*, Center for Economic and Policy Research, June 2010, www.cepr.net)

In an article published just this January, Stanford law professor Joan Petersilia noted:

What we are seeing today is a growing recognition that our approach to dealing with convicted criminals is simply too costly. Not only is the price too high, but the benefits are too low. The states now spend an estimated \$50 billion on corrections annually, and the growth of these outlays over the past 20 years has outpaced budget increases of nearly all other essential government services (*Beyond the Prison Bubble*, The Wilson Quarterly, Winter 2011, p.52)

Missouri had 5,953 individuals in state prison in 1982; by 2009, the number had grown fivefold to 30,432. In that same time period, from 1982 until 2009, our Department of Corrections budget rose from \$55 million to \$665 million.

It costs more than \$16,400 per year to incarcerate an individual, without counting the cost of the prison itself. The cost of building a prison is about \$100 million. For violent criminals, who endanger innocent men, women and children, there may be little choice. But for many of the 14,700 nonviolent offenders, this prison-based strategy is not working and it is costing us an arm and a leg.

The key measurement of the failure of this strategy is the recidivism rate. That's the number of people who are returned to prison after they have been released. In Missouri, 44.6% of nonviolent offenders are reincarcerated within two years of release; 52% of nonviolent offenders are reincarcerated within three years of release; and 58.5% of nonviolent offenders are reincarcerated within five years of release. More than one half of the people released from our penitentiaries are returned within five years.

A real life example of recidivism was the 35-year-old St. Joseph man who was arrested for drunken driving on June 16, 2010, just three hours after he was released from prison. (*The Kansas City Star*, July 17, 2010)

Punishment is a necessary part of our criminal justice system, but our real goal for nonviolent offenders is to teach them their lesson so they can become productive, law-abiding members of our society. The goal is not to lock them into a life of crime, to make them permanent wards of the state on an installment program of incarceration after incarceration, at \$16,400 per year. Newt Gingrich wrote this:

The key to public safety and fiscal sanity is not just getting dangerous people off the streets but also making sure that men and women who eventually leave prison have changed and can stay crime-free on the outside. (*Atlanta Journal Constitution*, March 23, 2010)

Governor Rick Perry of Texas said it this way:

I believe we can take an approach that is both tough and smart ... [T]here are thousands of non-violent offenders in the system whose future we cannot ignore. Let's focus more resources on rehabilitating those offenders so we can ultimately spend less money locking them up again. (www.rightoncrime.com)

It should be absolutely clear that when half of the nonviolent offenders are returned to prison after release, we have not taught them the right lesson, and, the danger of crime – the millions of dollars of cost to the Missouri taxpayer – goes on and on and on.

Over-incarceration of nonviolent offenders has been a big-government, throw-money-at-the-problem strategy that simply did not and does not work. Despite our tough-on-crime rhetoric, it is time that we face reality. Prison is the most expensive and least effective strategy for a significant number of nonviolent offenders. All it does is house them in expensive buildings, guard them with state workers, feed and give them health care paid for with precious state dollars and force them to associate with criminals more dangerous than they are. By spending all of our money on prison, there is not enough left to spend on the alcohol and drug treatment and the education and job training necessary to break their cycle of crime. Proof is in the numbers: 44.6% are back in two years; 58.5% are back in five years.

A group called Right on Crime, whose members include Grover Norquist, Edwin Meese and William Bennett, said this:

... the corrections system must align incentives with our goals of public safety, victim restitution and satisfaction, and cost-effectiveness, thereby moving from a system that grows when it fails to one that rewards results. (www.rightoncrime.com)

Professor Petersilia said it this way:

It should not come as a surprise to learn that we have a corrections system that does not correct Former prisoners account for an estimated 15 to 20 percent of all arrests among adults. That means thousands of Americans are being victimized every year by criminals who have already done time without experiencing "correction." (*Beyond the Prison Bubble*, The Wilson Quarterly, Winter 2011, p.53)

There is a better way. All across the country, states are turning to cheaper, more effective, alternative sanctions than prison for nonviolent offenders.

Drug courts are one of the best examples of tough, effective, local alternatives to prisons. Depending on the study, between 60% and 80% of people in prison are there for drug-related crimes or have drug or alcohol issues. Study after study, nationally and in Missouri, show that drug courts are the most effective way to deal with drug- and alcohol-addicted people at a fraction of the cost of prison. Missouri has more than 9,700 drug court graduates with a minimal recidivism rate.

There are other evidence-based criminal sanction strategies, each matched to the particular risks and characteristics of the offender that also work that are far less expensive and far more effective than prison. We need to move from anger-based, prison-focused sentencing that ignores cost and effectiveness to evidence-based alternative sanctions that change troubled lives and focus on results.

With your help, we have expanded drug courts and DWI courts across Missouri. Unfortunately, they are still underfunded by half. We barely have scratched the surface with family drug courts and reentry courts, but I especially want to tell you about two pilot programs. First, in Jackson, Greene and St. Louis counties and in St. Louis city, we tested a program to divert juveniles from detention facilities. The program reduced detention admissions by approximately 50% with better results from the juveniles. The savings from this program will be substantial. We are expanding this program into five additional circuits.

The other pilot program is veterans court. Veterans court focuses on returning veterans whose psychological scars from service lead them to drugs and trouble and sometimes violence when they get home. In St. Louis city, Drug Court Commissioner Jim Sullivan has established a veterans court with twelve participants. Drug Court Commissioner Phil Britt is in the process of establishing a rural veterans court in Butler, Carter, Dunklin, Ripley, Stoddard and Wayne counties with a target population of twenty to twenty-five veterans. We owe our veterans this kind of help when they need it, but our resources are already stretched thin.

From a moral, a fiscal and a law-and-order perspective, drug courts, DWI courts, juvenile diversion programs, veterans courts, reentry courts and community supervision strategies are better investments of taxpayer money, for their target populations, than prisons.

I want to be absolutely clear. I am not advocating that we reduce prison populations just to save money. Nonviolent offenders are still law breakers, and they will break laws until they learn their lesson. What I am saying is that we need to do a better job teaching nonviolent offenders the right lessons. That takes more than prison; it takes more than slap-on-the-wrist probation. Drug and alcohol addiction must be broken; discipline and job skills must be learned. When that can be done better, outside of expensive prison walls, that is what we should do. Results matter, public safety matters, taxpayer dollars matter, saving lives and restoring families matter.

I also want to make clear that this is not a management problem at the Department of Corrections. Director Lombardi, his staff, and the probation and parole officers of this state, are excellent and dedicated public servants. Because of their leadership and because of the nearly 3,000 drug court diversions each year, we have avoided building at least two new prisons. That is, at least, \$200 million of avoided costs, just for the buildings, let alone the tens of millions of dollars of operational costs. Missouri has started in the right direction, but we need to go farther and to do better.

The people of America are ready for a change. A poll taken last September showed that 86% of Americans agreed that “We have too many low risk, nonviolent offenders in prison. We need alternatives to incarceration that cost less and save our expensive prison space for violent and career criminals.” Eighty-nine percent of Americans agreed that “Ninety-five percent of people in prison will be released. If we are serious about public safety, we must increase access to treatment and job training programs so they can become productive citizens once they are back in the community.” And 84% of Americans agreed that “Prisons are a government program, and just like any other government program they need to be put to the cost-benefit test to make sure taxpayers are getting the best bang for their buck.” (*Public Attitudes on Crime and Punishment*, The Pew Center on the States, www.pewcenteronthestates.org)

We need to expand our existing diversionary treatment court programs. We need to require, as a condition for early release from prison, education or job training and drug treatment, if needed. We need to establish a more robust program for reentry supervision for those who are released. The reduction in the number of nonviolent offenders in our prisons will more than fund these efforts. We need to be tough and smart on crime.

Transitioning from where we are to where we need to be is the hard part. It will take detailed study and cooperation among the state, the counties, the courts, the prosecutors, the defenders and our law enforcement agencies. I am thankful to your leaders, Speaker Tilley and President Pro Tem Mayer, who have joined with Governor Nixon and me in signing a letter seeking a federal Justice Reinvestment Initiative grant to study how this should be done. They have shown political courage and the type of bipartisan leadership necessary to make Missouri a safer and better place. Please recognize Speaker Tilley and President Pro Tem Mayer for their far-sighted leadership.

The second major issue that I want to talk with you about is a fair and impartial judiciary. Solomon is the example of the greatest judge. When he first became King of Israel, the Revised Standard Version of the Bible says he asked the Lord for “an understanding mind to govern thy people, that I may discern between good and evil.” The New Jerusalem Bible and most other translations have Solomon asking for an understanding “heart,” instead.

I never have worried about this difference in translation, because both are true. A good judge needs an understanding mind and an understanding heart to find justice.

It is not easy finding justice. Justice is not a physical thing that you can touch or hold or measure. Often it is shaped by the eye of the beholder and, often, relative to the beholder’s particular point of view. What seems just to one may seem unjust to another.

A good judge must have the courage to accept that not all people will see justice as he or she does. Sometimes, a good judge must have the courage to risk the anger of the majority, to protect the rights of the individual – rights that we prize and that are guaranteed by our national and state constitutions. That is why Alexander Hamilton said the “independence of the judges is ... requisite to guard the Constitution and the rights of individuals.” (*The Federalist* #78)

Our job is different than yours. You serve the majority. You make broad policy decisions that apply to everyone. You make campaign promises and are expected to uphold them. If something does not work, if it is worded incorrectly, or if the will of the majority changes, you can change your laws year by year.

Our job is more limited. We rule individual case by individual case. Whether it is a case for a business fighting for its economic life, a crippled plaintiff who no longer can support himself or his family, parents fighting for the custody of a loved child, or a person accused of a crime with his liberty or life at stake, we rule individual case by individual case, with each individual having only that one chance for justice. In every case, someone loses. Fairness, impartiality and a level playing field, not subject to outside influence or manipulation, not dependent on a preexisting promise, are the absolute necessity.

With this in mind, we need to talk about the Missouri Plan for selecting judges. The plan was adopted by the people of Missouri by initiative petition in 1940. It was in response to the Pendergast political machine's attempt to control the Supreme Court of Missouri. It was a plan established by the people to protect their courts from political manipulation and control.

For those of you who are new to the legislature, let me explain how the Missouri Plan works. For vacancies on the Supreme Court and the Court of Appeals, there is a seven-member commission. The commission is made up of three lawyers elected by lawyers from the eastern, western and southern districts of the state. The lawyers' role is to safeguard the professional quality of the candidates. The lawyers serve staggered six-year terms. The commission also has three members who cannot be lawyers, appointed by the governor, again for staggered six-year terms. They evaluate the candidates from the point of view of regular citizens of Missouri. To the extent these commissioners are appointed by the governor, they reflect the political mood of the state. Finally the chief justice of the Supreme Court serves on the commission. In my experience, the chief justice functions neither as a lawyer nor as a lay person, but as a representative of the judiciary as a whole. Each nominating commission for trial judges, in Jackson, Clay, Platte, Greene and St. Louis counties and St. Louis city, has one lawyer and non-lawyer, and the presiding judge of the local court of appeals replaces the chief justice.

The commission evaluates the applicants. It screens out those who from a legal or any other point of view might not be the best choice to serve as a judge and selects the three candidates the commission believes would be best. The governor may appoint any of the three individuals submitted to him, for any reason. The governor's appointee begins to serve immediately but is subject to a retention vote of the people at the next general election after a year of service, and again, every twelve years thereafter. Missouri Plan judges are accountable directly to the people.

The brilliance of the Missouri Plan is that it balances the need for legal ability, everyday common sense and responsibility to the people, in a way that preserves the integrity and the fairness and the impartiality of the judge. It also checks the power of all concerned, the lawyers, the citizens, the chief justice, the governor, and most importantly, it allows a very real check and balance to the people by the retention vote.

But, in some ways, the quality of a judge is like the quality of justice. It is perceived in the eye of the beholder, colored by the beholder's interests and desires. What one person sees as a great appointment may be criticized by another; perhaps not relative to ability or integrity or fairness, but by a desire for a particular ideological viewpoint and the expectation of a particular type of ruling. The Missouri Plan was created to seek judges of ability, integrity and fairness; not to lock in any particular viewpoint.

There are two alternatives that have been suggested by critics of the Missouri Plan. I am certain that those who suggest these alternatives are sincere in their concerns, but I do not believe that they understand the dangers inherent in their suggested alternatives.

The worst alternative is direct elections of judges. The reason is simple: money. The amount of money involved in conducting statewide races will destroy the public's perception, and perhaps the actual integrity, of our judicial system.

As special interest politics have increased, the amount of money directed to judicial elections has skyrocketed. For the 10-year period from 1990 to 1999, \$83.3 million was spent on judicial elections. For the 10-year period from 2000 to 2009, that amount more than doubled to \$206.9 million. (*The New Politics of Judicial Elections: 2000-2009*, The Brennan Center for Justice, www.brennancenter.org)

It is even more shocking that most of this money comes from a small group of big spenders. A study of 29 elections in the nation's 10 most costly states from 2000 to 2009 showed that the top five contributors in each race

invested an average of \$473,000 each, while the remaining 116,000 contributors averaged just \$850 each. (*The New Politics of Judicial Elections: 2000-2009*, The Brennan Center for Justice, www.brennancenter.org)

There can be no way that this much money from so few people can be good. In fact, a Harris poll released this past September revealed that 70% of Americans, both democrats and republicans, believed that campaign contributions have had a significant impact on courtroom decisions. (*The Birmingham News*, September 11, 2010)

Remember the *Avery* case from Illinois in which an Illinois Supreme Court justice cast the deciding vote in a \$450 million lawsuit in favor of a company after receiving more than \$1 million in campaign contributions from those connected to the company. Remember the *Massey* case from West Virginia in which a new West Virginia Supreme Court justice cast the deciding vote in a \$50 million lawsuit after the CEO of that company spent approximately \$3 million of independent expenditures to defeat the new judge's opponent.

Big money in judicial elections is a scandal.

I am not naive. There are political and ideological issues that divide our nation and that divide our state. It is our strength as a democracy to allow the full debate and resolution of those issues by and before the people, but that is a process for you to conduct here in the legislative chambers of government. It is not a process to be confused with the fair and just resolution of individual disputes, each case according to its evidence, each case according to the law, each case with fairness and impartiality. Most importantly, each case as the only opportunity for justice for the Missouri citizens involved.

Whether rich, poor, black, white, plaintiff, defendant, individual, corporation, prosecutor, accused, republican, democrat or independent, the people of Missouri deserve justice when they come to court. They deserve a level playing field and a fair chance. They deserve judges who make decisions on evidence and law, not judges who have been influenced by big money contributions from special interests.

Judges who have been bought and paid for have not been the Missouri way since 1940, and they should not be the Missouri way of the future.

Another suggestion is to adopt a plan modeled after the federal system. That, too, is problematic. Federal judges have life tenure; they are not subject to retention votes. The federal plan has no commission of lawyers or lay people to filter the candidates regarding legal ability, reputation or simple common sense. It would be a purely political system where only the governor and senators are included. I am sure you can imagine the bargaining that might take place, perhaps involving issues wholly unrelated to the nominee. You don't have to imagine the gridlock that takes place when the senate is controlled by one party and the governor is of the other party. In a 2002 speech, then Attorney General John Ashcroft declared that the federal system "has broken down" because the United States Senate would not act on President Bush's nominees for judges. That may well happen again with President Obama's nominees. What would happen here for nominees between May and January: delay or special session after special session. Modifications to the federal system might attempt to solve these problems, but they would only increase the uncertainty and risk about how a federal plan might work in Missouri, with untested modifications.

Other, more measured, changes also might be proposed to the Missouri Plan; changes that preserve the structure of the plan, but focus on the political balance of the commissioners, the timing of the commissioners' terms, or the number of nominees on the panel submitted to the governor. Such changes might be less dangerous, but they are still fraught with the risk of unintended consequences. The greater the change, the greater the number of changes, the greater the risk.

In the past two years, the Court has taken great strides to increase the transparency of the Missouri Plan to make it more open to the people. Last year, we amended the rules to release the names of the applicants. This year, we amended the rules to open the interview process to the public, to release the final vote for the panel of nominees and to encourage nominations directly from the public. These changes will allow the people of Missouri to see for themselves how the Missouri Plan works and to see the choices it makes when presenting a panel of nominees to the governor. These are significant and good changes. Both Kansas and Iowa have followed our lead and opened their interviews to the public.

A detailed study published in May 2008 titled, *Is The 'Missouri Plan' Good for Missouri? The Economics of Judicial Selection*, authored by professors Joshua Hall and Russell Sobel, noted:

“A growing literature in economics has found that judicial independence and quality matter for economic growth across countries and states.

Most significantly, they concluded:

“Based on our analysis Missouri’s current system is far superior to several of the alternatives such as partisan elections, nonpartisan elections, and gubernatorial appointment with the approval only of some type of executive council.” (Policy Study No. 15, *Show-Me Institute*, May 21, 2008)

Justice is sacred but fragile. It belongs to the people, not to either political party, not to any special interest. A system of justice is necessary to support our economy and to preserve our individual rights and freedoms. A system of justice can exist only so long as the people have trust and confidence that it is fair and impartial. Any proposed change to the Missouri Plan should be considered only with the greatest care and caution. I am afraid that it is more likely that any change will bring more harm than good.

Each of you has been chosen by your fellow citizens to come here and represent them in our government. It is a great honor that they have bestowed upon you. It is an honor that comes with great responsibility. Do not take for granted your importance. What you do will make a difference, not in theory, not in political sound bites, but in the real lives of real Missourians now and for years to come.

Having served here for nearly eighteen years, I understand your sacrifices. I understand some of your pressures. I understand your best intentions. I respect you all for your willingness to serve.

I know that each of you want to do your best. I know that each of you want to do what is right and good. It is not my place to advise you on most matters, but preserving a system of justice in Missouri that our people can have faith and confidence in, that cannot be bought, is something that’s right and good; reforming our criminal sentencing practices to save millions and millions of dollars, to break the cycle of addiction and crime, and to make Missouri a safer place is something right and good. It is what should be done. It is something you and your families and all of the people of Missouri can be proud of.

Thank you.

The Joint Session was dissolved by Senator Dempsey.

Speaker Tilley resumed the Chair.

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 76**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 209**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 19, introduced by Representatives Kirkton, Oxford, Jones (63), McNeil, Carlson and Schupp, relating to congressional and legislative redistricting.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 445, introduced by Representative Molendorp, relating to use of tobacco products in state correctional facilities.

HB 446, introduced by Representatives Thomson, Tilley, Lair, Silvey, Stream and Dieckhaus, relating to state funding for elementary and secondary education.

HB 447, introduced by Representatives Funderburk, Zerr, Gatschenberger, Parkinson, Schneider, Stream, Bahr, Conway (14), Fallert, Allen, Colona, Walton Gray, Pace, Taylor and Carter, relating to tax increment financing.

HB 448, introduced by Representative Lair, relating to employer contributions under the Missouri local government employees' retirement system.

HB 449, introduced by Representative Sater, relating to radon awareness during real estate transactions.

HB 450, introduced by Representatives Allen, Brandom, Lauer, Crawford, Entlicher, Lichtenegger, Leach, Riddle and Zerr, relating to the breast cancer awareness license plate.

HB 451, introduced by Representatives Kirkton and Ellinger, relating to the taxation of property.

HB 452, introduced by Representatives Hodges, McGeoghegan, Schieffer, Newman, McDonald, Kratky, Fallert and Meadows, relating to insurance coverage for treatment of infertility.

HB 453, introduced by Representative Hodges, relating to county officers.

HB 454, introduced by Representatives Hodges and Schieffer, relating to liability for gratuitous services.

HB 455, introduced by Representatives Hodges and Schieffer, relating to sensory processing disorder.

HB 456, introduced by Representatives Hodges and Schieffer, relating to fresh pursuit powers for fourth class city police officers.

HB 457, introduced by Representatives Hodges and Schieffer, relating to distribution of controlled substances.

HB 458, introduced by Representatives Loehner, Guernsey, Weter, Wright, Johnson, Lichtenegger and Schad, relating to the Missouri farmland trust.

HB 459, introduced by Representatives Denison, Tilley, Burlison, Pollock, Day, Wright, Phillips, Schoeller, Stream, Fisher, Houghton, Davis, Brattin, White, Wieland, Elmer, Gatschenberger, Schieber, Hampton, Jones (89), Fallert, Webb, Nasheed, May, Walton Gray and Meadows relating to the designation of the new Mississippi River bridge.

HB 460, introduced by Representatives Lampe, Nichols, Ellinger, McNeil, Aull, Zimmerman, Newman, Pace, Curls, Webber, Walton Gray, Carter, Casey, Nasheed, Peters-Baker, Spreng, Hummel, Kirkton, McCann Beatty, Oxford, Brown (50), McDonald, Schupp, Webb, Colona, Kratky, Kander, Talboy, Montecillo, Fallert, McManus, Swearingen, Rizzo, Anders, Atkins, Still, McGhee, Jones (63), Carlson, Meadows, May, Hodges, Sifton, Holsman, Hubbard, Pierson, Harris, Smith (71), Kelly (24), McGeoghegan, Zerr and Hughes, relating to school safety.

HB 461, introduced by Representative Pollock, relating to use of credit scores by prospective employers.

HB 462, introduced by Representative Pollock, relating to the Missouri energy task force.

HB 463, introduced by Representatives McNary, Funderburk, Koenig, Dieckhaus, Schad, Burlison, Curtman, Neth, Jones (89), Stream, Houghton, Scharnhorst, Gosen, Hinson, Allen, Diehl, Redmon, Schoeller, Franz and Nasheed, relating to virtual schools.

HB 464, introduced by Representatives McNary, Funderburk, Wieland, Koenig, Burlison, Curtman, Day, Cross, Nance, Guernsey, Kelly (24), Smith (150), Jones (89), Long, Dieckhaus, Wright, Lair, Stream, Schatz, Houghton, Scharnhorst, Gosen, Hinson, Loehner, Allen, Diehl, Weter, Dugger, Faith, Nolte, Holsman, McCaherty, May, Redmon, Schoeller, Franz, Wells, Pollock, Nasheed and Ellinger, for the sole purpose of eliminating, combining, and revising certain state boards, commissions, committees, and councils.

HB 465, introduced by Representatives Wells, Day, Denison, Nolte, Largent, McCann Beatty, Colona, Zimmerman, Talboy, Schad, Wright, Brandom, Sater and McNary, relating to credit unions.

HB 466, introduced by Representative Schoeller, relating to payroll deductions for electioneering purposes.

COMMITTEE APPOINTMENT

February 9, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Legislative Research:

Representative Joe Fallert
Representative Chris Kelly
Representative Jean Peters-Baker
Representative Mark Parkinson
Representative Scott Sifton
Representative Ryan Silvey

Continuing to serve on this Joint Committee are:

Representative Tom Flanigan
Representative Tim Jones
Representative Jason Smith
Representative Rick Stream

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 10, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 6.

Executive session will be held: HB 131

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 10, 2011, 8:00 AM House Hearing Room 3.

Continuation of Department of Health and Senior Services budget overview, if necessary.

Department of Mental Health budget overview.

Committee may reconvene after morning adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Economic Development.

At 10:00 AM, hearing will recess and reconvene upon adjournment.

At that time, the hearing will move to House Hearing Room 7 for presentation by MoDOT.

CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 14, 2011, 12:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony to be presented by Department of Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Begin mark-up.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete mark-up.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 10, 2011, House Hearing Room 4 upon morning adjournment.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 10, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

CANCELLED

RETIREMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS

TOURISM AND NATURAL RESOURCES

Thursday, February 10, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 89, HB 250

Executive session will be held: HB 89, HB 189, HB 190

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 167

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 104, HB 147, HB 330

AMENDED

WAYS AND MEANS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 316

Executive session will be held: HB 151, HB 55

Executive session may be held on any matter referred to the committee.

The Committee will recess and reconvene upon morning adjournment in House Hearing Room 5.

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 10, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 19

HOUSE BILLS FOR SECOND READING

HB 445 through HB 466

HOUSE BILLS FOR PERFECTION

1 HCS HB 91 - Nolte

2 HB 71 - Nasheed

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

HOUSE BILLS FOR THIRD READING

1 HB 162 - Fisher

2 HCS HB 46 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 10, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I am the vine, ye are the branches. He that abideth in me, and I in him, the same bringeth forth much fruit; for without me ye can do nothing. (John 15:5)

O God, our Father, without Whom our world drifts into darkness and despair, let the light of Your spirit shine upon us as we for this moment worship You in spirit and in truth. Deliver us from unworthy ambitions which close our eyes to the rights of others and from a self-centeredness which grows into suspicion and ill will.

Make us mindful of the needs of people in our state and around our nation. Beneath all differences of race or creed help us to see human aspirations coming to fruition and seeking to be satisfied. Abiding in You, may the fruit of compassion and understanding and love be brought forth anew within us. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 542 through House Resolution No. 555

HOUSE CONCURRENT RESOLUTION

Representative Frederick, et al., offered House Concurrent Resolution No. 30.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 19 was read the second time.

SECOND READING OF HOUSE BILLS

HB 445 through **HB 466** were read the second time.

THIRD READING OF HOUSE BILLS

HB 162, relating to workers' compensation, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 162** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Guernsey	Nasheed	Rizzo	Zimmerman
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 46, relating to fire system sprinkler installments, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 46** was read the third time and passed by the following vote:

AYES: 149

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 009

Anders	Carlson	Ellinger	Kirkton	Newman
Oxford	Pierson	Schupp	Still	

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Guernsey	Rizzo	Zimmerman	Mr Speaker
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Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee on Rules:

HR 11, HR 12, HR 16, HR 30, HR 31, HR 66, HR 81, HR 207, HR 324, HR 325 and HR 527.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 7 - Veterans
HCR 8 - Elementary and Secondary Education
HCR 16 - International Trade and Job Creation
HCR 20 - Tourism and Natural Resources
HCR 21 - Tourism and Natural Resources
HCR 22 - International Trade and Job Creation
HCR 23 - Transportation Funding and Public Institutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 7 - Downsizing State Government
HJR 12 - Downsizing State Government
HJR 13 - Downsizing State Government
HJR 15 - Tourism and Natural Resources
HJR 16 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 32 - Children and Families
HB 40 - Elementary and Secondary Education
HB 43 - Local Government
HB 52 - Tax Reform
HB 65 - Crime Prevention and Public Safety
HB 66 - Judiciary
HB 70 - Local Government
HB 84 - Tourism and Natural Resources
HB 98 - Tourism and Natural Resources
HB 106 - Tax Reform
HB 118 - Crime Prevention and Public Safety
HB 119 - Utilities
HB 120 - Utilities
HB 121 - Elections
HB 146 - Health Insurance

HB 158 - Judiciary
HB 159 - Judiciary
HB 197 - Health Care Policy
HB 223 - Higher Education
HB 228 - Transportation
HB 234 - Crime Prevention and Public Safety
HB 239 - Veterans
HB 245 - Elections
HB 264 - International Trade and Job Creation
HB 270 - Health Insurance
HB 272 - Health Care Policy
HB 278 - Tax Reform
HB 283 - Elections
HB 286 - Ways and Means
HB 295 - Crime Prevention and Public Safety
HB 297 - Children and Families
HB 300 - Health Care Policy
HB 305 - Retirement
HB 306 - Crime Prevention and Public Safety
HB 307 - Transportation
HB 311 - Professional Registration and Licensing
HB 312 - Ways and Means
HB 314 - Elementary and Secondary Education
HB 321 - Tourism and Natural Resources
HB 322 - Small Business
HB 323 - Financial Institutions
HB 327 - Local Government
HB 328 - Health Care Policy
HB 333 - Elementary and Secondary Education
HB 334 - Health Care Policy
HB 335 - Tax Reform
HB 336 - Economic Development
HB 340 - Corrections
HB 341 - General Laws
HB 347 - Professional Registration and Licensing
HB 348 - Health Care Policy
HB 353 - Insurance Policy
HB 356 - Crime Prevention and Public Safety
HB 357 - Economic Development
HB 358 - Retirement
HB 360 - Retirement
HB 361 - General Laws
HB 362 - Elementary and Secondary Education
HB 363 - Transportation
HB 367 - Professional Registration and Licensing
HB 368 - Veterans
HB 372 - Elementary and Secondary Education

HB 384 - Corrections
HB 387 - Health Care Policy
HB 388 - Health Insurance
HB 393 - Elementary and Secondary Education
HB 394 - Transportation
HB 395 - Crime Prevention and Public Safety
HB 404 - Judiciary
HB 405 - Agriculture Policy
HB 406 - Crime Prevention and Public Safety
HB 407 - Insurance Policy
HB 408 - Ways and Means
HB 409 - Retirement
HB 410 - Elementary and Secondary Education
HB 411 - Special Standing Committee on Disability Services
HB 412 - Health Care Policy
HB 413 - Crime Prevention and Public Safety
HB 417 - Judiciary
HB 421 - Special Standing Committee on Disability Services
HB 423 - Health Care Policy
HB 426 - Health Insurance
HB 430 - Transportation
HB 431 - Judiciary
HB 434 - Workforce Development and Workplace Safety
HB 442 - Veterans
HB 459 - Transportation

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 61**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representative Silvey, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 2, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 3, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 4, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 5, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 6, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012.

HB 7, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 8, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 9, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

HB 10, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 11, introduced by Representative Silvey, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

HB 12, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

HB 13, introduced by Representative Silvey, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 467, introduced by Representatives Diehl, Zerr, Colona, Long, Berry, McGhee, Kratky, Brandom and McNary, relating to science and innovation.

HB 468, introduced by Representatives Diehl, Talboy, Zerr, Colona, Long, Jones (63), Berry, McGhee, Kratky, Brandom, Swearingen, Grisamore, Silvey, Schupp, Kelly (24), Gatschenberger, Hodges, Brown (50), Denison, Smith (71) and McNary, relating to science and innovation.

HB 469, introduced by Representative Franz, relating to the Missouri family trust.

HB 470, introduced by Representatives Funderburk, Nance, Long, Wieland, Parkinson, Bahr, Schoeller, Jones (89), Smith (150), Gosen, Cierpiot, Solon, Tilley, Schad, Wright, Weter, Pollock, Keeney, Denison, Shumake, Cox, Nolte, Franz, Wells, Barnes, Kelly (24), McGhee, Curtman, Flanagan, Allen, Dugger, Lair, Klippenstein, Hoskins, Entlicher, Burlison, Zerr, Ellinger, Grisamore, Black, Franklin, Brown (50), Berry, Curls, Pierson, Scharnhorst, Cauthorn, Loehner, Nasheed, Thomson, Fitzwater, Quinn, Fallert, Molendorp, McDonald, Talboy, Casey, Fraker, Phillips, Fuhr, Sater, Brandom, Largent, Pace and Walton Gray, relating to the nonresident entertainers tax.

HB 471, introduced by Representatives Aull, Asbury, Ellinger, Quinn, Anders, Black, Cox, Nance, Rowland, Largent, Hoskins, Holsman, McGhee, Loehner, Wells, Thomson, Conway (27), Brown (50), Casey, Fallert, Swinger, Houghton, Lampe, Walton Gray, Carter, Fitzwater, Meadows, Newman, Shively, Schieffer, Stream, Dieckhaus and McNary, relating to school days missed due to inclement weather.

HB 472, introduced by Representatives Torpey, McDonald, Cierpiot, Anders and Solon, relating to bicycling state holidays.

HB 473, introduced by Representatives Jones (63), Cookson, Dieckhaus, Tilley, Riddle, Carter, Hubbard, Nasheed, Talboy, Jones (89) and Colona, relating to charter schools.

HB 474, introduced by Representatives Denison, Rowland, Dugger, Ruzicka, Pollock, Lant, Jones (63), Taylor and Wright, relating to the designation of an official state butterfly.

HB 475, introduced by Representatives Funderburk, Tilley, Jones (89), Burlison, Parkinson, Holsman, Leara, Jones (63), Molendorp, Allen and Nance, relating to disclosure of health care data.

HB 476, introduced by Representatives Funderburk, Parkinson, Burlison, Walton Gray and Holsman, relating to interscholastic athletics.

HB 477, introduced by Representatives Webber, Newman, Montecillo, Ellinger, McNeil, Zimmerman, Carter, Pace, Taylor, Casey, Nasheed, Walton Gray, Nichols, Curls, Conway (27), Peters-Baker, Spreng, Hummel, Kirkton, McCann Beatty, Oxford, Brown (50), McDonald, Schupp, Webb, Colona, Kratky, Kander, Schneider, Talboy, Fallert, McManus, Swearingen, Rizzo, Atkins, Still, Kelly (24), Jones (63), Lampe, Carlson, Meadows, Hodges, Sifton, Holsman, Hubbard, Pierson, Smith (71), McGeoghegan, Hughes and Harris, relating to discrimination based on sexual orientation.

HB 478, introduced by Representatives Wyatt, Burlison, Kelley (126), Conway (14), Franklin, Hoskins, Silvey, Brown (85), Schoeller, Day, Lasater, Curtman, Guernsey and Zerr, relating to state contracts and funds.

HB 479, introduced by Representatives Brown (50), Hummel, Conway (27), Smith (71), Jones (63), Talboy, Swearingen, Carlson, Casey and McDonald, relating to tax credits for qualified film production projects.

HB 480, introduced by Representative Brown (50), relating to the land assemblage tax credit program.

HB 481, introduced by Representative Brown (50), relating to traffic violations.

HB 482, introduced by Representatives Lichtenegger, Allen, Wallingford, White, Davis, Wright, Oxford and Colona, relating to automated external defibrillators.

HB 483, introduced by Representatives Cox, Largent, Lant, Fisher, Diehl, Richardson, Rowland, Smith (150), Crawford, Elmer, Cierpiot, Franz and Bernskoetter, relating to the Title X consistency and transparency act.

HB 484, introduced by Representative Faith, relating to the Missouri state transit assistance program.

HB 485, introduced by Representatives Curls and McCann Beatty, relating to foreclosure notice to tenants.

HB 486, introduced by Representatives Curls and McCann Beatty, relating to remedies for forcible entry by landlord.

HB 487, introduced by Representatives Curls and McCann Beatty, relating to abandoned housing.

HB 488, introduced by Representatives Gatschenberger, Davis, Fisher, Schad, Brattin, Lant, Higdon and Nance, relating to driver's license examination fees.

HB 489, introduced by Representatives Gatschenberger and Nance, relating to the establishment of minimal yellow light change interval times for traffic control devices.

HB 490, introduced by Representatives Diehl, Pollock, Dugger and Wells, relating to the taxation of property.

HB 491, introduced by Representatives Diehl, Day, Richardson, Hough and Barnes, relating to the tobacco master settlement agreement.

HB 492, introduced by Representatives Franz, Allen, Cierpiot, Lant, Davis, White and Fraker, relating to labor organizations.

HB 493, introduced by Representatives Wieland and McCaherty, relating to the acceptance of electronic payments by the office of administration.

HB 494, introduced by Representatives Schupp, Webber, Walton Gray, Kratky, Carlson, Anders, Still, Oxford, Kirkton, Kelly (24), McGeoghegan, Pierson, Peters-Baker and Ellinger, relating to the University of Missouri board of curators.

COMMITTEE APPOINTMENT

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jake Zimmerman from the House Rules Committee and subsequently appoint Representative Mike Colona.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy
House Minority Leader

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 14, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 96, HB 266

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 15, 2011, 12:30 PM House Hearing Room 6.

Executive session will be held: HB 131

Executive session may be held on any matter referred to the committee.

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 14, 2011, 12:00 PM House Hearing Room 1.

Budget presentation continued by the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Budget presentation continued by the Department of Conservation, if necessary.

Begin markups.

AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Complete markups.

APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 1.

Analyst markup sheets continued.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 3.

Presentation by Higher Education Institution Presidents.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 1.

Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 14, 2011, 12:00 PM House Hearing Room 3.

Markup.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 14, 2011, 5:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2011, House Hearing Room 1 upon morning adjournment.
Executive session may be held on any matter referred to the committee.
Markup.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2011, House Hearing Room 3 upon morning adjournment.
Executive session may be held on any matter referred to the committee.
Markup.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Monday, February 14, 2011, 12:00 PM House Hearing Room 5.
Department of Mental Health budget presentation, continued.
Department of Social Services budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Public Safety Budget.
Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.
Executive session may be held on any matter referred to the committee.
Vote bills out of committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 14, 2011, 12:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Testimony to be presented by Department of Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Begin markup.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete markup.

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM, MCTA, 223 E Capital Drive.

Committee dinner and work session.

ELECTIONS

Tuesday, February 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 329, HJR 14, HB 187, HB 54

Executive session will be held: HB 329, HJR 14

Executive session may be held on any matter referred to the committee.

Public hearing continued on HB 329

CORRECTED

GENERAL LAWS

Monday, February 14, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 277, HB 294, HB 123, HB 125, HB 271

Executive session may be held on any matter referred to the committee.

CANCELLED

GENERAL LAWS

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 123, HB 125, HB 294, HB 277, HB 271

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 110, HB 201

Executive session will be held: HB 213

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 146, HB 262, HB 270, HB 388, HB 426

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 212, HB 231

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 14, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.

Executive session will be held: HB 148

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 326, HB 301

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 14, 2011, House Hearing Room 2 upon afternoon adjournment.

Executive session will be held: HCR 3, HB 14, HB 15, HB 76

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HJR 5, HJR 17

Executive session will be held: HB 112, HB 285, HJR 5,

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 6.

Informational Meeting on Energy Basics, and specifically Geographical Sourcing.

TOURISM AND NATURAL RESOURCES

Monday, February 14, 2011, 1:30 PM House Lounge.

Joint Committee meeting between the House Tourism and Natural Resources Committee and Senate Jobs, Economic Development and Local Government Committee for the purpose of the presentation of Tourism Commission's Annual Report.

TRANSPORTATION

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 167

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HB 124, HB 338, HB 339

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 442

Executive session will be held: HB 303, HB 136

Executive session may be held on any matter referred to the committee.

This will be an informational meeting as well, with presentations from three different groups.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2011

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1 through HB 13

HOUSE BILLS FOR SECOND READING

HB 467 through HB 494

HOUSE BILLS FOR PERFECTION

1 HCS HB 91 - Nolte

2 HB 71 - Nasheed

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. David Cox, Immaculate Conception Catholic Church, Jefferson City.

Heavenly Father,

We humbly stand before You today to acknowledge that we need Your strength and guidance. We are grateful for all Your blessings, both material and spiritual. As we are aware of Your presence at this moment, help us to be aware of it throughout the work of this day. Bless us and those whom we serve through our office. We ask this through Christ our Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp

Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Aull	Brown 116	Houghton	Hughes
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HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 556 through House Resolution No. 567

HOUSE CONCURRENT RESOLUTION

Representative Cookson, et al., offered House Concurrent Resolution No. 31.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1 through **HB 13** were read the second time.

SECOND READING OF HOUSE BILLS

HB 467 through **HB 494** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1 - Budget
HB 2 - Budget
HB 3 - Budget
HB 4 - Budget
HB 5 - Budget
HB 6 - Budget
HB 7 - Budget
HB 8 - Budget
HB 9 - Budget
HB 10 - Budget
HB 11 - Budget
HB 12 - Budget
HB 13 - Budget
HB 466 - Workforce Development and Workplace Safety

HB 467 - Economic Development
HB 468 - Economic Development
HB 475 - Health Insurance
HB 492 - Workforce Development and Workplace Safety

COMMITTEE REPORT

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 20, introduced by Representative Sifton, relating to the referendum process.

HJR 21, introduced by Representative Sifton, relating to the initiative and referendum.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 495, introduced by Representatives Jones (117), Long, Guernsey and Torpey, relating to driver's license qualifications.

HB 496, introduced by Representatives Jones (117), Fallert, Long, Guernsey, Torpey, Hough and Hinson, relating to veterinary legend drugs.

HB 497, introduced by Representative Schieffer, relating to annexation procedures.

HB 498, introduced by Representatives Wallingford, Lichtenegger, Hodges, Wright and Brandom, relating to peripheral zoning.

HB 499, introduced by Representatives Wells, Brandom and Jones (117), relating to driver's license competency assessment.

HB 500, introduced by Representatives Colona, Montecillo, Jones (63), Newman, Carter, Kratky and Hummel, relating to the motorist insurance identification database program.

HB 501, introduced by Representatives Cauthorn, Hough, Pollock, Wallingford, Shumake, Bahr, Houghton, Schatz, Cierpiot, Smith (150), Anders, Aull, Lampe, Solon, Schieffer and White, relating to the telemarketing no-call list.

HB 502, introduced by Representatives Hubbard, Nasheed, Webb, Jones (63), May, Pace, Smith (71), Walton Gray, Curls, Bahr, Conway (14) and Spreng, relating to criminal nonsupport.

HB 503, introduced by Representatives Dugger, Diehl, Entlicher, Cox, Pollock, Gosen, Wells, Hough, Denison, Lichtenegger, Koenig, Riddle, Cierpiot, Smith (150) and Jones (89), relating to public election dates.

HB 504, introduced by Representatives Silvey, Kelly (24), Talboy, Schupp, Peters-Baker, Colona, Carter, Jones (63), Lampe, Tilley, Jones (89), Solon, Lichtenegger, Brandom, Newman, Still, McNeil, Spreng, Kirkton, Webber, Black, McManus, Carlson, Oxford, Rizzo, May, Franklin, Richardson, Frederick, Faith, Hoskins, Swearingen, Elmer, Hough, Hinson, Brown (50), Burlison and Schneider, relating to domestic violence.

HB 505, introduced by Representatives Kelly (24), Silvey, Talboy, Schupp, Peters-Baker, Colona, Carter, Jones (63), Lampe, Tilley, Jones (89), Solon, Lichtenegger, Brandom, Newman, Kirkton, Still, Spreng, Webber, Black, McNeil, McManus, Carlson, Oxford, Rizzo, May, Franklin, Richardson, Frederick, Faith, Diehl, Hoskins, Swearingen, Elmer, Hinson, Hough, Brown (50), Burlison and Schneider, relating to domestic violence.

COMMITTEE APPOINTMENTS

February 14, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Gaming and Wagering:

Representative Caleb Jones
Representative Noel Torpey
Representative Anne Zerr

Continuing to serve on this Joint Committee are:

Representative Michele Kratky
Representative Jason Holsman

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

February 14, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Government Accountability:

Representative Cole McNary

Continuing to serve on this Joint Committee are:

Representative Sally Faith
Representative Darrell Pollock
Representative Ryan Silvey

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

The following member's presence was noted: Houghton.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 15, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, February 15, 2011, 2:00 PM South Gallery.

AGRI-BUSINESS

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 96, HB 266

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 15, 2011, 12:30 PM House Hearing Room 6.

Executive session will be held: HB 131

Executive session may be held on any matter referred to the committee.

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Budget presentation continued by the Department of Conservation, if necessary.

Begin markups.

CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Complete markups.

APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 1.

Analyst markup sheets continued.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 3.

Presentation by Higher Education Institution Presidents.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 1.

Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2011, House Hearing Room 1 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Markup.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Markup.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 5.

Department of Mental Health budget overview, continued.

Department of Social Services budget overview.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Begin markup.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete markup.

CHILDREN AND FAMILIES

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 32

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 199, HB 247, HB 356, HB 413

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

ECONOMIC DEVELOPMENT

Tuesday, February 15, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 467, HB 468

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 329, HB 187, HB 54

Executive session will be held: HB 329, HJR 14

Executive session may be held on any matter referred to the committee.

Public hearing continued on HB 329.

CORRECTED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HJR 10, HB 393

FINANCIAL INSTITUTIONS

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held: HB 83, HB 109, HB 173

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 123, HB 125, HB 294, HB 277, HB 271, HB 361, HB 341

Executive session may be held on any matter referred to the committee.

Please note the addition of two bills: HB 361 and HB 341.

AMENDED

HEALTH CARE POLICY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 110, HB 201

Executive session will be held: HB 213

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 146, HB 262, HB 270, HB 388, HB 426

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 212, HB 231

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 43, HB 184, HB 290, HB 369, HB 101, HB 142, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 326, HB 301

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, February 15, 2011, 4:35 PM House Hearing Room 6.

Executive session will be held: HCR 3, HB 14, HB 15, HB 61, HB 76

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HJR 5, HJR 17

Executive session will be held: HJR 5, HB 112, HB 285

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 6.

Informational Meeting on Energy Basics, and specifically Geographical Sourcing.

TAX REFORM

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 278, HB 52

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 167

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HB 124, HB 338, HB 339

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 442

Executive session will be held: HB 303, HB 136

Executive session may be held on any matter referred to the committee.

This will be an informational meeting as well, with presentations from three different groups.

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 20 and HJR 21

HOUSE BILLS FOR SECOND READING

HB 495 through HB 505

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HB 71 - Nasheed

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Dr. Steven G. Williams, First Christian Church, Poplar Bluff, MO.

As Jesus reminded those with Him (Matthew 26:41): *"Watch and pray that you may not enter into temptation; the spirit indeed is willing, but the flesh is weak."*

Our most gracious and compassionate Heavenly Father, in this moment when we pause at the beginning of another session of the House, we turn our attention to You, seeking the guidance of Your wisdom, the strength of Your presence, and the undergirding of Your power.

Those of us who have accepted positions of power and authority, whether clergy, politician, teacher, police officer, administrator, or executive, can easily forget our position is first one of responsibility. As Jesus warned us, our minds and our spirits may seek to guide us in paths and decisions that are edifying for those we serve, but temptation is all about us.

We are tempted by those who would curry our favor for particular ends. We are tempted by our pride. Sometimes we are tempted by our greed. We often fail to keep our egos in check, forgetting the exuberant vitality and principled dedication of the days of our youthful innocence. In these moments of contemplative reflection, we pray that we might be open to Your presence, to Your guidance, to Your will, in such a way that we might remember our service to the state in which we live, and *all* the citizens thereof.

The needs of our state are great. The demands upon these public servants can at times be horrendous. The pressures sometimes indescribable. Gracious Father, help honest hearts and struggling minds remain focused upon that which is good, just, right and honorable, as the work is entered into this day.

We pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Candace Thomas.

The Journal of the twenty-second day was approved as printed.

SPECIAL RECOGNITION

The Officers of the Missouri State Future Farmers of America were introduced by Speaker Tilley.

Jon Black, President of the Missouri State Future Farmers of America, addressed the House.

HOUSE RESOLUTION

Representatives Bernskoetter and Barnes offered House Resolution No. 571.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 568 through House Resolution No. 570
House Resolution No. 572 through House Resolution No. 584

HOUSE CONCURRENT RESOLUTION

Representative Bernskoetter, et al., offered House Concurrent Resolution No. 32.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 20 and **HJR 21** were read the second time.

SECOND READING OF HOUSE BILLS

HB 495 through **HB 505** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 91, relating to workers' compensation, was placed on the Informal Calendar.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 9, relating to a federal amendment convention, was taken up by Representative Barnes.

Representative Parkinson assumed the Chair.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14

Conway 27	Cookson	Crawford	Cross	Curls
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 002

Cox Kelly 24

ABSENT WITH LEAVE: 007

Brown 50	Brown 116	Carter	Hughes	Pierson
Scharnhorst	Webb			

Speaker Tilley resumed the Chair.

HCR 9 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 26** - Ways and Means
- HB 53** - Crime Prevention and Public Safety
- HB 87** - Corrections
- HB 144** - Ways and Means
- HB 177** - Crime Prevention and Public Safety
- HB 200** - Corrections
- HB 202** - Downsizing State Government

HB 207 - Crime Prevention and Public Safety
HB 208 - Urban Issues
HB 238 - Workforce Development and Workplace Safety
HB 246 - Elementary and Secondary Education
HB 251 - Economic Development
HB 291 - Transportation
HB 313 - Insurance Policy
HB 349 - Workforce Development and Workplace Safety
HB 350 - Elementary and Secondary Education
HB 374 - Judiciary
HB 392 - Health Care Policy
HB 401 - General Laws
HB 414 - Insurance Policy
HB 415 - Transportation
HB 416 - Transportation Funding and Public Institutions
HB 419 - Elementary and Secondary Education
HB 427 - Judiciary
HB 437 - Downsizing State Government
HB 440 - Crime Prevention and Public Safety
HB 441 - Tourism and Natural Resources
HB 445 - Corrections
HB 446 - Elementary and Secondary Education
HB 448 - Retirement
HB 449 - Crime Prevention and Public Safety
HB 458 - Emerging Issues in Animal Agriculture
HB 463 - Elementary and Secondary Education
HB 464 - Downsizing State Government
HB 465 - Financial Institutions
HB 471 - Elementary and Secondary Education
HB 473 - Elementary and Secondary Education
HB 474 - Tourism and Natural Resources
HB 490 - General Laws
HB 502 - Crime Prevention and Public Safety

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 68 - General Laws

COMMITTEE REPORTS

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 112** and **HB 285**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 89**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 136**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 76**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 506, introduced by Representatives Fuhr, Haefner and Brown (85), relating to property tax levy revisions.

HB 507, introduced by Representative Carter, relating to health insurance coverage for licensed athletic trainer services.

HB 508, introduced by Representatives Carter, Oxford and Walton Gray, relating to caseload standards for certain state agencies.

HB 509, introduced by Representatives Carter, Curls, Webb, Hughes and Walton Gray, relating to eligibility for food stamps.

HB 510, introduced by Representatives Wyatt, Conway (14), Entlicher, Kelley (126) , Franklin, Brown (85) and Largent, relating to testing of certain defendants for sexually transmitted diseases.

HB 511, introduced by Representatives Nasheed, Dieckhaus, McNary, Gatschenberger, Fuhr, Wieland, Hinson, Rowland, Berry, Carter, Curls, Spreng, May, Taylor, Pierson, Burlison, Haefner, Lasater, McCann Beatty, McGeoghegan, Hubbard, Pace, Walton Gray, Tilley, Parkinson, Fisher, McCaherty, Davis, Brattin, White, Higdon, Koenig, Leara, Denison and Jones (89), relating to personalized learning plans.

HB 512, introduced by Representative Lair, relating to unlawfully intercepting computer and electronic communication device information.

HB 513, introduced by Representatives Newman, Carter, Oxford, Montecillo, McGeoghegan, Stream, Kirkton, Spreng, Peters-Baker and Ellinger, relating to Sean's Law.

HB 514, introduced by Representatives McNeil, Stream, Still, Kirkton and Shively, relating to unaccredited schools.

HB 515, introduced by Representatives Wallingford, Lichtenegger, Hinson, Fitzwater, Scharnhorst, Korman, Flanigan, Jones (89), McNary, Smith (150), Cauthorn, McCaherty, Frederick, Diehl, Rowland, Franz, Cookson, Conway (14), Lasater, Schoeller, Curtman, Hampton, Entlicher, Riddle and Wright, relating to embryo transfer.

HB 516, introduced by Representatives Ellinger, Nasheed, Pierson, Smith (71), Pace, Oxford, McCann Beatty, Taylor, Nichols, Hubbard and Schupp, relating to fairness in the infliction of the death penalty.

HB 517, introduced by Representatives Ellinger, Nasheed, Pierson, Nichols, Smith (71), Pace, Oxford, McCann Beatty, Taylor, Hubbard and Schupp, relating to the right to clemency in capital cases.

HB 518, introduced by Representative Schupp, relating to the designation of a memorial highway.

HB 519, introduced by Representatives Curls and McCann Beatty, relating to abandoned housing.

HB 520, introduced by Representatives Schupp, Funderburk, Walton Gray, Kratky, Meadows and Schoeller, relating to sales tax exemptions.

HB 521, introduced by Representatives Wells and Dugger, relating to recalls of ambulance district board members.

HB 522, introduced by Representative Rizzo, relating to payday loans.

HB 523, introduced by Representative Molendorp, relating to portable electronics insurance.

HB 524, introduced by Representatives Molendorp, Colona, Zimmerman, Nance and Casey, relating to bail bond regulations.

HB 525, introduced by Representative Molendorp, relating to life and health reinsurance contracts.

HB 526, introduced by Representative Weter, relating to surgical technology.

HB 527, introduced by Representatives Cookson, Hinson, Denison, Schieffer, Faith, Meadows, Stream, Long, Fitzwater, Hampton and Richardson, relating to highway safety.

HB 528, introduced by Representatives Jones (117), Richardson, Hinson, Silvey, Jones (89), Hough, Elmer, Barnes, Korman, Wallingford, Kelly (24), Riddle, Houghton, Lichtenegger, Neth, Parkinson, Schad, Loehner, Kelley (126), Zimmerman, Webber, Casey, Colona, Diehl, Schneider, Cross, Gatschenberger, Smith (150), Leach, Fitzwater, Gosen, Nance, Tilley, Kander, Hoskins and Berry, relating to medical records.

HB 529, introduced by Representatives Carter, Walton Gray, Hubbard and Webb, relating to the designation of the new Mississippi River bridge.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 19**, entitled:

An act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the phase-out of the corporate franchise tax.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

February 15, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Genise Montecillo from the Committee on Transportation Funding and Public Institutions. If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Brown (50), Carter, Hughes, Pierson, Scharnhorst and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 16, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Complete markups.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 3.

Presentation by Higher Education Institution Presidents.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 1.

Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Markup.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 5.

Department of Social Services budget overview, continued.

CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

May reconvene upon morning adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Bills could be voted out of committee today.

AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete markup.

CHILDREN AND FAMILIES

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 32

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 340, HB 384

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 199, HB 247, HB 356, HB 413

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12, HB 464

Executive session may be held on any matter referred to the committee.

AMENDED

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.
Committee dinner and work session.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HJR 10, HB 393

FINANCIAL INSTITUTIONS

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 6.
Public hearing to be held on: HB 465, HB 50
Executive session will be held: HB 109, HB 173, HB 465, HB 83
Executive session may be held on any matter referred to the committee.
AMENDED

FISCAL REVIEW

Thursday, February 17, 2011, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

GENERAL LAWS

Thursday, February 17, 2011, 12:00 PM House Hearing Room 4.
Public hearing to be held on: HB 364
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 110, HB 201
Executive session will be held: HB 213
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 7.
Public hearing to be held on: HB 264
Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 256, HB 260
Executive session will be held: HB 128, HB 130, HB 111, HB 253
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 43, HB 184, HB 290, HB 369
Executive session will be held: HB 101, HB 142, HB 161
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.
Public hearing to be held on: HB 326, HB 301
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.
Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127
Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 5.
Executive session will be held: HCS HB 205
Executive session may be held on any matter referred to the committee.
CORRECTED

SMALL BUSINESS

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 7.
Public hearing to be held on: HB 68
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.
Executive session will be held: HB 421, HB 411
Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HB 278, HB 52
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HCR 6, HCR 11
Executive session will be held: HB 250
Executive session may be held on any matter referred to the committee.
There will also be a presentation by the Missouri Parks Association.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 147, HB 330, HB 126, HB 137, HCR 23

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 408, HB 312, HB 248

Executive session will be held: HB 116

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2011

HOUSE BILLS FOR SECOND READING

HB 506 through HB 529

HOUSE BILLS FOR PERFECTION

HB 71 - Nasheed

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

SENATE BILLS FOR SECOND READING

SCS SB 19

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is the man that walketh not in the counsel of the ungodly; nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night. (Psalm 1:1,2)

Write Your Law upon our hearts, O God, and Your words upon our minds, as we lift our souls to You this refreshing morning. We believe in You, and we pray that Your spirit may so dwell in us that Your peace and Your power may be ours this day. Guide us in the decisions we make, give us support in our efforts to be true to You, and grant us courage to do what we firmly believe to be right. Just as we are now, strong and free, to be the best that we can be for truth and righteousness and You, Lord of our lives, we come and bring with us all our Missouri citizens and together we say, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Josie Kaderly, Luke and Jacob Detering, Ellie Kremer and Hope Keeley.

The Journal of the twenty-third day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty

McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brandom	Brown 116	Grisamore	Pace
Shively	Webber			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 585 through House Resolution No. 596

HOUSE CONCURRENT RESOLUTION

Representative Davis, et al., offered House Concurrent Resolution No. 33.

SECOND READING OF HOUSE BILLS

HB 506 through **HB 529** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 19 was read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 429** - Tax Reform
- HB 470** - Tax Reform
- HB 506** - Ways and Means

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 214**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 276**, **HB 233** and **HB 274**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 148**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 167**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 22, introduced by Representative Cauthorn, relating to the sales and use tax for conservation.

HJR 23, introduced by Representatives Leara and Lant, relating to initiative and referendum petitions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 530, introduced by Representatives Kander, Barnes, Schupp, Webber, Richardson, Kelly (24) and Jones (117), relating to the public fraud prevention act.

HB 531, introduced by Representatives Conway (14), Nance, Kelley (126), Brattin, Bahr, Hubbard, Spreng, Haefner, Wyatt and Brown (85), relating to unfair insurance practices and fraud.

HB 532, introduced by Representatives Cauthorn, Jones (63) and Nasheed, relating to school days missed due to inclement weather.

HB 533, introduced by Representative Newman, relating to taxation.

HB 534, introduced by Representative Leara, relating to distribution of local sales taxes.

HB 535, introduced by Representatives Leara and Lant, relating to petition circulators.

HB 536, introduced by Representative Leara, relating to tax credits for corporation franchise taxes paid.

HB 537, introduced by Representatives Leara and Richardson, relating to firearms.

HB 538, introduced by Representatives Hubbard, Hughes, Jones (63), Colona, May, Spreng, Rizzo, Meadows, McGhee, Hummel, Smith (71), Carter, Curls, Carlson, Webber, Schupp and Nasheed, relating to elimination of the inmate intervention fee.

HB 539, introduced by Representatives Hubbard, Nasheed, Jones (63), Conway (14), Lasater, May, Spreng, McCaherty, Rizzo, Meadows, Brown (50), McGhee, Hughes, Hummel, Smith (71), Carter, Colona, Curls, Schupp, Carlson and Webber, relating to a pilot project for increasing children's access to incarcerated mothers.

HB 540, introduced by Representatives Schneider and Diehl, relating to the crime of practicing medicine while intoxicated.

HB 541, introduced by Representatives McManus, Conway (27), Swearingen, Harris, Anders, Colona, Hodges, Nolte, Bernskoetter, Wieland, Meadows and Quinn, relating to tax credits for donated food.

HB 542, introduced by Representative Bernskoetter, relating to ambulance districts.

HB 543, introduced by Representatives Fitzwater, Nance, Redmon, Black, Nasheed, Lasater and Taylor, relating to professional improvement plans for teachers and principals.

HB 544, introduced by Representative Sater, relating to long-term care background screenings.

HB 545, introduced by Representative Schieber, relating to tourism community enhancement districts.

HB 546, introduced by Representatives Diehl, Jones (89) and Tilley relating to the housing development commission.

HB 547, introduced by Representatives McNeil, Lampe, Hughes, Oxford, Kirkton, Carter, Ellinger, Schupp, Still, Anders, Pace and Newman, relating to health insurance premium rate reviews.

HB 548, introduced by Representatives Jones (117), Long, Barnes, Nance, Hough, Bernskoetter, Schieber, Houghton, Asbury, Guernsey, Cierpiot, Schad, Fitzwater, Richardson and Cookson, relating to compensatory leave for nonexempt state employees.

COMMITTEE APPOINTMENT

February 16, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Gaming and Wagering:

Representative Jason Holsman
Representative Caleb Jones
Representative Michele Kratky
Representative Noel Torpey
Representative Anne Zerr

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

COMMUNICATION

February 16, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo., I am hereby filing a written report of possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am employed with Boeing Company and am on the Advisory Board of the Missouri Vocational Enterprises Program of the Missouri Department of Corrections.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Clem Smith
Representative
District 71

The following members' presence was noted: Atkins, Brandom, Grisamore, Shively and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 17, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

May reconvene upon morning adjournment.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Monday, February 21, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

CANCELLED

DOWNSIZING STATE GOVERNMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12, HB 464

Executive session may be held on any matter referred to the committee.

AMENDED

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 17, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

CANCELLED

FISCAL REVIEW

Monday, February 21, 2011, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

GENERAL LAWS

Thursday, February 17, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 364

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 21, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.

Public hearing to be held on: HB 407, HB 414

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 409

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.

Public hearing to be held on: HB 421, HB 411

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HCR 6, HCR 11

Executive session will be held: HB 250

Executive session may be held on any matter referred to the committee.

There will also be a presentation by the Missouri Parks Association.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 147, HB 330, HB 126, HB 137, HCR 23

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 408, HB 312, HB 248

Executive session will be held: HB 116

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 22 and HJR 23

HOUSE BILLS FOR SECOND READING

HB 530 through HB 548

HOUSE BILLS FOR PERFECTION

HB 71 - Nasheed

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the dead who die in the Lord from henceforth: Yea, wish the Spirit, that they may rest from the labors; and their works do follow them. (Revelation 14:13)

Almighty God, Our Heavenly Father, from Whom we come, with Whom we live, and unto Whom our spirit returns, grant us Your blessing as we pray and enable us to put our trust in You that we may find comfort and courage for facing the events of this day for our state.

We remember before You those who have given their lives for our country. Comfort the hearts and the homes that walk in sorrow and in grief. Even as they journey through the valley of the shadow of death, may they feel Your presence near and in the assurance of Your love find strength sufficient for every need.

May we and all our people hear the summons to a greater and nobler living which comes to us as we remember our loyal and loving dead - a summons to give our best that a government of the people, by the people, and for the people shall not perish from the earth.

In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Daniel Bauman, Patrick Hayes, Ryan Holmquist, Tim Johnson, Michael O'Malley, Oliver Oxler, Colin Safley, Daylyn Snelling, Travis Triplett, Antonio Partida, Eli Brown, Alex Partida, Silas Brown, Logan Schafer and Lily Schafer.

The Journal of the twenty-fourth day was approved as printed.

SPECIAL RECOGNITION

Mike Anderson, Head Coach of the University of Missouri Men's Basketball Team, was introduced by Speaker Tilley.

Coach Anderson addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 597 through House Resolution No. 642

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 22 and **HJR 23** were read the second time.

SECOND READING OF HOUSE BILLS

HB 530 through **HB 548** were read the second time.

PERFECTION OF HOUSE BILL

HB 71, relating to the City of St. Louis Police Force, was taken up by Representative Nasheed.

Representative Schoeller offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 71, Page 2, Section 84.348, Line 3, by inserting after said line the following:

“84.349. 1. No person shall solicit orally, or by letter or otherwise, or shall be in any manner concerned in soliciting, any assessment, contribution, or payment for any political purpose whatsoever from any officer or employee in the service of the police department for such cities or from members of the said police board. No officer, agent, or employee of the police department of such cities shall permit any such solicitation in any building or room occupied for the discharge of the official duties of the said department.

2. No officer or employee of said department shall promote, remove, or reduce any other official or employee, or promise or threaten to do so, for withholding or refusing to make any contribution for any political party or purpose or club, or for refusal to render any political service, and shall not directly or indirectly attempt to coerce, command, or advise any other officer or employee to make any such contribution or render any such service. No officer or employee in the service of said department or member of the police board shall use his official authority or influence for the purpose of interfering with any election or any nomination for office, or affecting the result thereof. No officer or employee of such department shall be a member or official of any committee of any political party, or be a ward committeeman or committeewoman, nor shall any such officer or employee solicit any person to vote for or against any candidate for public office, or "poll precincts" or be connected with other political work of similar character on behalf of any political organization, party, or candidate. All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

3. No person or officer or employee of said department shall affix any sign, bumper sticker or other device to any property or vehicle under the control of said department which either supports or opposes any ballot measure or political candidate.

4. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal shall be affected by such opinions or affiliations.

5. No person shall make false statement, certification, mark, rating, or report with regard to any tests, certificate, or appointment made under any provision of sections 84.010 to 84.350 or in any manner commit or attempt to commit any fraud preventing the impartial execution of this section or any provision thereof.

6. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion to, or any advancement in, a position in the service of the police departments of such cities.

7. No person shall defeat, deceive, or obstruct any person in his right to examination, eligibility, certification, appointment or promotion under sections 84.010 to 84.350, or furnish to any person any such secret information for the purpose of affecting the right or prospects of any person with respect to employment in the police departments of such cities.

8. Any officer or any employee of the police department of such cities who shall be found by the board to have violated any of the provisions of this section shall be discharged forthwith from said service. It shall be the duty of the chief of police to prefer charges against any such offending person at once. Any member of the board or of the common council of such cities may bring suit to restrain payment of compensation to any such offending officer or employee and, as an additional remedy, any such member of the board or of the common council of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal of such offending officer or employee. Officers or employees discharged by such mandamus shall have no right of review before the police board. Any person dismissed or convicted under this section shall, for a period of five years, be ineligible for appointment to any position in the service of the police department of such cities or the municipal government of such cities. Any persons who shall willfully or through culpable negligence violate any of the provisions of this section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by both such fine and imprisonment.

9. For purposes of this section the following terms shall mean:

(1) “Licensed dealer”, a person who is licensed under 18 U.S.C. Section 923 to engage in the business of dealing in firearms.

(2) “Private seller”, a person who sells or offers for sale any firearm, as defined in section 571.010, or ammunition.

(3) “Ammunition”, any cartridge, shell, or projectile designed for use in a firearm.

(4) “Materially false information”, any information that portrays an illegal transaction as legal or a legal transaction as illegal.

10. Any officer, employee, or representative of said department who knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States is guilty of a class D felony.

11. Any officer, employee, or representative of said department who provides to a licensed dealer or private seller of firearms or ammunition what the persons knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition is guilty of a class D felony.

12. Any officer, employee, or representative of said department who willfully procures another to engage in conduct prohibited by this section shall be held accountable as a principal.

Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 71, Page 2, Section 84.348, Lines 1 to 3, by deleting all of said section and lines and inserting in lieu of thereof the following:

“84.348. Any police pension system created under chapter 86 for the benefit of a police force established under sections 84.010 to 84.340 shall continue to be governed by chapter 86, and shall apply to any police force established under sections 84.345 and 84.346. Nothing in the provisions of subsection 2 of section 84.010, section 84.345, 84.346, or 84.347 shall be construed to relieve the city not within a county of its obligations to provide funding under sections including, but not limited to, 86.183, 86.187, 86.344, and 86.350.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 71, Page 1, Line 8, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 84.348, Line 3, by inserting after all of said line the following:

“Section 2. 1. The police department of any city not within a county shall not allow any officer, employee, liaison, or registered representative to testify or conduct any lobbying activities before the general assembly if such officer, employee, liaison, or registered representative purports to represent the official policy of the department, or commits any act or acts representing himself or herself in any official manner, including but not limited to wearing a uniform, stating specific rank and title in the department, or providing testimony on official department letterhead. An officer, employee, or liaison may, in their personal capacity, petition the general assembly for the redress of grievances, and communicate opinions on any subject whatsoever.

2. Any person may enforce this section by bringing an action for monetary damages in the amount of ten thousand dollars in any court of competent jurisdiction. If a court finds that there has been a violation of this section, then it shall award attorney fees and costs to the plaintiff. The state hereby abrogates and waives with regard to the police departments regulated by subsection 1 of this section, all types of sovereign, official, and absolute immunity, and any other immunity doctrine recognized by common law such that the department shall have full liability for a violation of this section.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon

Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 040

Anders	Atkins	Colona	Curls	Ellinger
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Neth	Newman	Nichols	Oxford
Peters-Baker	Pierson	Quinn	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Brown 116	Carter	Pace	Wyatt
Zimmerman				

On motion of Representative Leara, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curls
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berry	Brown 50	Brown 116	Carter	Pace
Webber	Wyatt	Zimmerman		

Representative Colona offered **House Amendment No. 3.**

House Amendment No. 3 was withdrawn.

Representative Fuhr offered **House Amendment No. 4.**

Representative Cox raised a point of order that **House Amendment No. 4** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Meadows offered **House Amendment No. 5.**

Representative Richardson raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Nasheed, **HB 71, as amended**, was ordered perfected and printed by the following vote:

AYES: 123

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Burlison	Carlson	Carter	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCann Beatty
McGhee	McManus	McNary	McNeil	Molendorp
Nasheed	Newman	Nolte	Oxford	Phillips

Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Smith 71	Smith 150	Solon	Still	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wright	Zerr	Mr Speaker		

NOES: 034

Anders	Atkins	Black	Casey	Davis
Fallert	Funderburk	Gatschenberger	Higdon	Hodges
Jones 89	Kander	Kelly 24	Kirkton	Korman
Kratky	Loehner	McCaherty	McDonald	McGeoghegan
Meadows	Montecillo	Nance	Neth	Nichols
Parkinson	Scharnhorst	Sifton	Silvey	Spreng
Stream	Swearingen	White	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Brown 116	Pace	Peters-Baker	Wyatt
Zimmerman				

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 546 - General Laws

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 19

AN ACT

Relating to the calling of a convention proposing amendments to the United States Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article V of the Constitution of the United States provides authority for a Convention to be called by the Congress of the United States for the purpose of proposing amendments to the Constitution upon application of two-thirds of the Legislatures of the several states ("amendments convention"); and

WHEREAS, the Legislature of the State of Missouri favors the proposal and ratification of an amendment to said Constitution which shall provide that an increase in the federal debt requires approval from a majority of the Legislatures of the separate States:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby respectfully applies, as provided for in Article V of the Constitution of the United States, for an amendments convention to be called for the purpose of proposing an amendment which shall provide that an increase in the federal debt requires approval from a majority of the Legislatures of the separate States; and

BE IT FURTHER RESOLVED that the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the Constitution providing that an increase in the federal debt requires approval from a majority of the Legislatures of the separate States; and

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the Legislatures of the several States have made application for an equivalently limited amendments convention; and

BE IT FURTHER RESOLVED that a certified copy of this application be dispatched by the Chief Clerk of the Missouri House of Representatives to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each house of the several State Legislatures requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 24, introduced by Representative Aull, relating to volunteer bingo game operations.

HJR 25, introduced by Representative Aull, relating to bonded indebtedness of school districts.

HJR 26, introduced by Representatives Curtman, Hinson, Phillips, Long, Schatz, Houghton, Leach, Conway (14), Richardson, Lichtenegger, Entlicher, Brattin, Redmon, Brown (85), McCaherty, Koenig, Wallingford, Higdon, Berry, Cierpiot, Solon, Denison, Franz, Wieland, Asbury, Bahr, Wyatt, Guernsey, Smith (150), Dugger, Korman, Dieckhaus, Jones (89) and Jones (117), relating to state sovereignty.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 549, introduced by Representatives Bahr, Ruzicka, Dieckhaus, Jones (89), Higdon, Gatschenberger, Lasater, McNary, Conway (14) and Kelley (126), relating to motor vehicle mileage taxes.

HB 550, introduced by Representative Day, relating to liens and encumbrances.

HB 551, introduced by Representatives Schieffer and Kirkton, relating to controlled substances.

HB 552, introduced by Representative Molendorp, relating to the standard of care for the treatment of persons with bleeding disorders.

HB 553, introduced by Representatives Nance, Webber, Franklin, Anders, Jones (117), Richardson, Schneider, Molendorp and Nolte, relating to the Missouri home inspectors professional competency and financial responsibility act.

HB 554, introduced by Representatives Loehner, Wyatt, Nance, Smith (150), Klippenstein, Schad and Bahr, relating to animal husbandry.

HB 555, introduced by Representative Grisamore, relating to termination of parental rights.

HB 556, introduced by Representative Grisamore, relating to disability history and awareness month in public schools.

HB 557, introduced by Representative Grisamore, relating to the mental health earnings fund.

HB 558, introduced by Representative Grisamore, relating to comprehensive day rehabilitation services under the MO HealthNet program.

HB 559, introduced by Representative Grisamore, relating to electronic texts.

HB 560, introduced by Representative Grisamore, relating to disabled parking signs.

HB 561, introduced by Representative Grisamore, relating to the MO HealthNet oversight committee.

HB 562, introduced by Representative Grisamore, relating to the Missouri children's services commission.

HB 563, introduced by Representative Grisamore, relating to the MO HealthNet benefits.

HB 564, introduced by Representative Grisamore, relating to tax incentives for job growth.

HB 565, introduced by Representatives Denison, Dugger, Wells and Cookson, relating to reporting of child abuse.

HB 566, introduced by Representatives Denison, Parkinson, Cox, Cauthorn and Schad, relating to the political subdivision construction bidding standards act.

HB 567, introduced by Representatives Elmer, Weter, Phillips and Rowland, relating to judicial circuits.

HB 568, introduced by Representatives Elmer and Korman, relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

HB 569, introduced by Representatives Shively, Quinn, Black, Oxford, Atkins, McGeoghegan, Hubbard, Cookson, Aull, Fallert, Meadows, McManus, McDonald, Carlson, Harris, Casey, Redmon and Johnson, relating to 911 emergency communications service.

HB 570, introduced by Representatives Lampe, McGeoghegan, Carter, Kratky, McCann Beatty, McNeil, Hodges, Anders, Oxford, Kander, Swearingen, Colona, Newman, Ellinger, Still, Dieckhaus, Montecillo, Barnes, Kirkton, Zerr, Neth, Fitzwater, Cookson, Franz, Nolte, Burlison, Asbury, Silvey, Hough, Talboy and Long, relating to gifted education.

HB 571, introduced by Representative Faith, relating to penalties for tax-delinquent lands.

HB 572, introduced by Representative Pollock, relating to controlled substances.

HB 573, introduced by Representatives Kirkton and Ellinger, relating to health care insurance rates.

HB 574, introduced by Representative Aull, relating to insurance premium rates.

HB 575, introduced by Representative Aull, relating to the joint committee on education.

HB 576, introduced by Representative Aull, relating to school violence prevention.

HB 577, introduced by Representative Aull, relating to school food services.

HB 578, introduced by Representative Thomson, relating to the disposal of tires.

HB 579, introduced by Representatives Frederick, Richardson, Lichtenegger and Burlison, relating to hospital licensure law.

HB 580, introduced by Representatives Frederick, Haefner, Allen, Wallingford, Berry, Neth, Franklin, Denison, McCaherty, Phillips and Guernsey, relating to medical records.

HB 581, introduced by Representatives Oxford, Schupp, Walton Gray, Pace, Atkins, Still, Kirkton, McNeil, Carter, Nichols, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Schieffer, Hodges, Curls, Webber, Nasheed, Carlson, Swearingen, Peters-Baker, McCann Beatty, Hughes, Pierson, McGeoghegan, Rizzo, Sifton, Anders, McManus, Taylor, Holsman and Aull, relating solely to the creation of an earned income tax credit.

HB 582, introduced by Representatives Oxford, Schupp, Walton Gray, Pace, Atkins, Still, Newman, McNeil, Carter, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Webber, Schieffer, Carlson, Peters-Baker, Hughes, Pierson, Colona, McGeoghegan, Rizzo, Anders, Taylor and Holsman, relating to school class size.

HB 583, introduced by Representatives Oxford, Walton-Gray, Schupp, Pace, Atkins, Still, Kirkton, McNeil, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Nasheed, Carlson, Swearingen, Peters-Baker, Hughes, Pierson, Taylor and Holsman, relating to the quality early childhood act.

HB 584, introduced by Representatives Oxford, Schupp, Kirkton, Pace, Walton Gray, Atkins, Still, Newman, McNeil, Montecillo, Carter, Nichols, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Nasheed, Carlson, Peters-Baker, McCann Beatty, Hughes, Pierson, McGeoghegan, Rizzo, Anders, Harris, Taylor and Holsman, relating to prepayment loan penalties.

HB 585, introduced by Representatives Oxford, Nichols, Walton Gray, Pace, Atkins, Still, Newman, Kirkton, Carter (61), McNeil, Montecillo, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Nasheed, Carlson, Swearingen, Peters-Baker, McCann Beatty, Hughes, Pierson, Zimmerman, McGeoghegan, Rizzo, McManus, Harris, Taylor and Holsman, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 586, introduced by Representatives Stream, Ruzicka, Grisamore, Zerr, Kirkton, Newman, Schupp, McNeil, Kratky, Oxford, McGeoghegan, Nasheed, Aull, Carlson, Still, Smith (71), Pace, Brown (85), Hoskins, Largent, Torpey, Allen, Faith, Diehl, Denison, Scharnhorst, Fitzwater, Fisher, Tilley and Flanigan, relating to continuing professional education curriculum in eating disorders for certain school personnel.

HB 587, introduced by Representatives Aull and Harris, relating to relocation of a child.

HB 588, introduced by Representatives Cookson, Dieckhaus, Tilley, Diehl, Jones (63), Smith (71), Taylor, Richardson, Smith (150), Fitzwater, Jones (89), Denison, Schoeller, Riddle and Jones (117), relating to student athlete safety.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 3**, entitled:

An act to repeal sections 115.205, 115.427, 115.430, and 115.631, RSMo, and to enact in lieu thereof five new sections relating to elections, with penalty provisions and a contingent effective date.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 21, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 21, 2011, South Gallery upon afternoon adjournment.

Executive Session will be held: HB 266

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2011, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup of HB 2 and HB 3.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Monday, February 21, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

CANCELLED

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 21, 2011, 1:00 PM House Hearing Room 3.

Public hearing to be held on: HB 115

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.
Committee dinner and work session.

ECONOMIC DEVELOPMENT

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 7.
Public hearing to be held on: HB 366
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.
Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 1.
Public hearing to be held on: HB 458
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, February 21, 2011, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.
CANCELLED

GENERAL LAWS

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 4.
Public hearing to be held on: HB 401, HB 490, HB 252, SCS SB 68
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 272 , HB 412 , HB 423 , HB 201
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 223
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 21, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.
Public hearing to be held on: HB 407, HB 414
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 409

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 21, 2011, House Hearing Room 4 upon afternoon adjournment.

Executive session will be held: HB 108, HCS HB 136, HJR 14, HCS HB 329,

HCS HB 276, 233 & 274, HCS HB 214, HB 167, HCR 19, HB 364

Executive session may be held on any matter referred to the committee.

House Resolutions for Chamber Use to be approved.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 7.

Executive session only.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.

Public hearing to be held on: HB 421, HB 411

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 363, HB 430, HB 415, HB 459, HB 228

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 22, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HCR 7, HB 368, HB 239

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 24 through HJR 26

HOUSE BILLS FOR SECOND READING

HB 549 through HB 588

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Silvey

HB 15 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst

HOUSE BILLS FOR THIRD READING

HB 71 - Nasheed

SENATE BILLS FOR SECOND READING

SB 3

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Greg White, Sheriff of Cole County.

Heavenly Father, Lord God, in Jesus' name we come to You. For this day, and in each of our days, I thank You. According to *Romans 8:28*, we thank You for working all things together for good to those who love You and are called according to Your purposes.

Lord, I thank You for the men and women gathered here to seek Your will in the governance of the people of the State of Missouri. I ask You to make Your will plain to each of them. I ask You to help them make godly decisions to fulfill Your will. May You lead them and guide them throughout this day and their term of office. Make them into the people You have called them to be.

Please bless the members of this session. Lead them in all they do. In Jesus' Christ name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alaina Brantley, Carson Hardesty, Aimee Burns, Beth Prater, Logan Wood and Michael Lady.

The Journal of the twenty-fifth day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Newman Peters-Baker

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Brown 116	Curls	Hughes
Klippenstein	Molendorp	Parkinson	Smith 71	Wallingford
Webber	Zimmerman			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 643 through House Resolution No. 663

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 24 through **HJR 26** were read the second time.

SECOND READING OF HOUSE BILLS

HB 549 through **HB 588** were read the second time.

SECOND READING OF SENATE BILL

SB 3 was read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 17 - Agriculture Policy

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 503 - Elections

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 154**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 186**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 83**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 109**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 183**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 229**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 263**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 282**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 360**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 189**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 153**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 137**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 338**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 204**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 116** and **HB 316**, begs leave to report it has examined the same and recommends that it **Do Pass With House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 151**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 434**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 136**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 167**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 214**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 276, 233 & 274**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 589, introduced by Representative Ruzicka, relating to making a false report.

HB 590, introduced by Representatives Harris, Smith (71), Black, Walton Gray, Shively, Webber, Aull, Anders, Swearingen, Fallert and Quinn, relating to adverse possession.

HB 591, introduced by Representatives Lichtenegger, Wallingford, Lant, Davis, White, Richardson, Jones (117), Wright and Wyatt, relating to limited dental teaching license.

HB 592, introduced by Representatives Gatschenberger and Nolte, relating to funeral protests.

HB 593, introduced by Representative Gatschenberger, relating to mailing envelopes for absentee ballots.

HB 594, introduced by Representative Richardson, relating to the possession, manufacture, transport, repair and sale of weapons.

HB 595, introduced by Representatives Schieffer, Hinson and Denison, relating to temporary motorcycle permits.

HB 596, introduced by Representatives Schieffer, Korman and Gatschenberger, relating to sales taxes on firearms and ammunition.

HB 597, introduced by Representatives Pollock, Wells, Denison, Dugger, Guernsey, Diehl, Day, Funderburk and Black, relating to conservation easements.

HB 598, introduced by Representative Schad, relating to the Missouri propane education and research act.

HB 599, introduced by Representatives Schad, Loehner, Cierpiot, Rowland, Hinson, Fraker, Fitzwater, McGhee, Jones (89), Higdon and Cookson, relating to sexual contact with a student.

HB 600, introduced by Representatives Schad, Loehner, Cierpiot, Rowland, Fitzwater and McGhee, relating to the crime of assaulting a utility worker.

HB 601, introduced by Representatives Schad, Loehner, Rowland and Fitzwater, relating to sales tax exemptions for feed for captive wildlife.

HB 602, introduced by Representatives Schad, McNeil, Dieckhaus, Rowland, Brown (85), Keeney and Cookson, relating to school district corporate organization.

HB 603, introduced by Representatives Schupp, Still, Ellinger, McNeil, Swearingen, Rizzo, Oxford, Weter, Kirkton, Spreng, Lant, Schieffer, Talboy, Lampe, Nasheed, Webb and McGhee, relating to child-care facilities.

COMMITTEE APPOINTMENTS

February 21, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Public Employee Retirement:

Representative Ira Anders
Representative Cloria Brown
Representative Tommie Pierson
Representative Paul Wieland

Continuing to serve on this Joint Committee are:

Representative Bert Atkins
Representative Ward Franz

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

February 21, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Terrorism, Bioterrorism, and Homeland Security:

Representative Rick Brattin
Representative Paul Curtman
Representative Charlie Davis

Continuing to serve on this Joint Committee is:

Representative David Day

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

COMMUNICATION

February 21, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Genise Montecillo
District 66

The following members' presence was noted: Molendorp, Parkinson, Smith (71), Wallingford and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 22, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2011, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup of HB 2 and HB 3.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

CANCELLED

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

ECONOMIC DEVELOPMENT

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 366, HB 336

Executive session may be held on any matter referred to the committee.

AMENDED

ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 362, HB 473

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 458

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 24, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

GENERAL LAWS

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 401, HB 490, HB 252, SCS SB 68

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 272 , HB 412 , HB 423 , HB 201
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 5.
Public hearing to be held on: HB 475
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 223
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 6.
Quarterly Business Meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JUDICIARY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 158, HB 159, HB 255, HB 417, HB 404, HB 257
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 70, HB 327
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 409
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 7.
Executive session only.

TAX REFORM

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HB 36, HB 335, HB 429, HB 470
Executive session will be held: HJR 8
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 363, HB 430, HB 415, HB 459, HB 228

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 119

Executive session will be held: HB 124

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 22, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HCR 7, HB 368, HB 239

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2011

HOUSE BILLS FOR SECOND READING

HB 589 through HB 603

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 14 - Silvey
- 2 HB 15 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst

HOUSE BILLS FOR THIRD READING

HB 71 - Nasheed

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Create in us clean hearts, O Lord, and renew a right spirit within us. (Psalm 51:10)

O Lord, our God, before Whom all deceit fades, all pretense fails, all ill will falls, Who is the way, the truth and the life - bless us this day as we open the House with Your spirit and help us walk in Your way, to believe Your truth and to live Your life.

Forgive our foolish ways, the mistakes we make, the sins we commit, the harsh criticism we direct toward those who disagree with us, and our slowness to see the good in others and the wrong in ourselves.

Then, create in us clean hearts, O Lord, and renew a right spirit within us - that Your will may be done in us, in our beloved state of Missouri, and in all people we serve. The House says "Amen".

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Abigail Thomas.

The Journal of the twenty-sixth day was approved as printed.

HOUSE RESOLUTION

Representative Webber offered House Resolution No. 696.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 664 through House Resolution No. 695
House Resolution No. 697

HOUSE CONCURRENT RESOLUTIONS

Representative Hampton, et al., offered House Concurrent Resolution No. 34.
Representative Oxford, et al., offered House Concurrent Resolution No. 35.
Representative Oxford, et al., offered House Concurrent Resolution No. 36.

SECOND READING OF HOUSE BILLS

HB 589 through **HB 603** were read the second time.

THIRD READING OF HOUSE BILL

HB 71, relating to the City of St. Louis Police Force, was taken up by Representative Nasheed.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Nasheed, **HB 71** was read the third time and passed by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Burlison	Carlson
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Hampton	Harris
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	Marshall	May	McCann Beatty
McGhee	McManus	McNary	McNeil	Molendorp
Nasheed	Newman	Nolte	Oxford	Pace
Peters-Baker	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schoeller
Schupp	Shumake	Smith 71	Smith 150	Solon
Still	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Wright	Wyatt	Mr Speaker	

NOES: 046

Anders	Atkins	Black	Brattin	Brown 85
Casey	Conway 14	Curtman	Davis	Fallert
Fuhr	Haefner	Higdon	Hinson	Hodges
Jones 89	Kander	Kelly 24	Kirkton	Korman
Kratky	Leara	Loehner	McCaherty	McDonald
McGeoghegan	Meadows	Montecillo	Nance	Neth
Nichols	Phillips	Ruzicka	Scharnhorst	Schieffer
Schneider	Shively	Sifton	Silvey	Spreng
Stream	Swearingen	Weter	White	Wieland
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Brown 116	Curls	Fraker	Gatschenberger
Hughes	Parkinson	Zimmerman		

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 14** was adopted.

On motion of Representative Silvey, **HCS HB 14** was ordered perfected and printed.

HB 15, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 15** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HB 209, relating to private nuisance actions, was taken up by Representative Guernsey.

Representative Shively offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 209, Page 2, Section 537.296, Line 36, by inserting after all of said line the following:

“7. The provisions of this section shall not apply to any claim for private nuisance by a plaintiff whose property ownership precedes the defendant’s activities giving rise to the cause of action.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough

Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Carter	Curls	Fuhr
Hughes	Jones 63	Nasheed	Quinn	Swinger
Zimmerman				

Representative Shively moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

HB 209 was laid over.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 431 - Judiciary

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 266**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 29**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 256**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HJR 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 37, introduced by Representatives Franklin, Frederick, Crawford, Lauer, Zerr, Lichtenegger, Curtman, Franz, Brattin, Wallingford, Fraker, Weter, Smith (150), Phillips, White, Davis, Schatz, Houghton, Cross, Hough, Gosen, Hoskins, Haefner, Lasater, Conway (14), Leach, Burlison, Asbury, Fitzwater, Johnson, Entlicher, Brown (85), Dieckhaus, Redmon, Wyatt, Jones (117), Torpey and Kelley (126), relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 27, introduced by Representatives Brattin, Gatschenberger, Bahr, Kelley (126), Conway (14), Molendorp, Davis, White, Frederick, Lichtenegger, Schoeller, Smith (150), Solon, Berry, Largent, Hoskins, Pollock, Riddle, Schieber, Rowland, Bernskoetter, Richardson, Houghton, Fisher, Phillips, Lair, Long, Higdon, Jones (117), Asbury, Guernsey, Curtman, Koenig, Harris, Johnson, Diehl, Cierpiot, Franklin, Reiboldt, Lant, Redmon, Fuhr, Dugger, Hough, Fitzwater, Fraker, Lasater, Hampton, Burlison, Faith, Marshall, Black, Schieffer, Jones (89), Colona, Keeney, Sater, Cross, Ruzicka, Wallingford, Shumake, Bandom, Elmer, Scharnhorst, Leach, Schatz, Loehner and Tilley, relating to the right to bear arms.

HJR 28, introduced by Representatives Walton Gray, Oxford, Pace, Pierson, Lampe, Webb, Schieffer, Wells, Atkins and Black, relating to the general assembly.

HJR 29, introduced by Representatives Solon, Torpey, Higdon, Fitzwater, Diehl, Houghton, Lasater, Wallingford, Day, Fuhr, Kelly (24), Hubbard, Brattin, Haefner, Rizzo, Fraker and Nichols, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 604, introduced by Representatives Long, Kelley (126), Richardson, Pollock, Weter, Franklin, Brown (85), Davis, Denison, Taylor, Zerr, Hampton, Gatschenberger, Lauer, Cross, Higdon, McNary, Solon, Talboy, Jones (63), Stream, Montecillo, Neth, Koenig, Allen, Grisamore and Hough, relating to parental rights of individuals with disabilities.

HB 605, introduced by Representatives Schieffer, Wells, Meadows, McDonald, Fallert and Denison, relating to collection of sales taxes on motor vehicles.

HB 606, introduced by Representative Schoeller, relating to limitations on punitive damages.

HB 607, introduced by Representative Franz, relating to health insurance coverage for licensed athletic trainers.

HB 608, introduced by Representatives Meadows, McGeoghegan, Fallert, Atkins and Ellinger, relating to van accessible parking spaces.

HB 609, introduced by Representative Molendorp, relating to the Show-Me health insurance exchange act.

HB 610, introduced by Representatives Molendorp and Nance, relating to the motorist insurance identification database program.

HB 611, introduced by Representatives Holsman, Atkins and Oxford, relating to light pollution.

HB 612, introduced by Representatives Holsman, Atkins, Oxford, McNeil and Walton Gray, relating to school class size.

HB 613, introduced by Representatives Holsman, McNeil, Kirkton, Atkins and Walton Gray, relating to renewable energy technology.

HB 614, introduced by Representatives Holsman and Atkins, relating to tuition rates for students at institutions of higher education.

HB 615, introduced by Representatives Holsman and Atkins, relating to the civil disaster response corps.

HB 616, introduced by Representatives Holsman and Atkins, relating to renewable energy.

HB 617, introduced by Representatives Holsman, Atkins, McNeil and Walton Gray, relating to the school calendar.

HB 618, introduced by Representatives Holsman and Atkins, relating to an income tax deduction for school supplies.

HB 619, introduced by Representatives Holsman and Atkins, relating to broadcasting of professional sporting events in publicly funded stadiums.

HB 620, introduced by Representatives Holsman, Atkins, Talboy and Walton Gray, relating to industrial hemp.

HB 621, introduced by Representatives Holsman, Atkins, Oxford, McNeil and Walton Gray, relating to high school dropout prevention.

HB 622, introduced by Representatives Holsman, Atkins, McNeil and Walton Gray, relating to solar water heating systems.

HB 623, introduced by Representatives Marshall, Lasater, Lant, Torpey, Brattin, Sifton and Kelley (126), relating to liability for driving while intoxicated.

HB 624, introduced by Representatives McNeil, Montecillo, Oxford, Still, Schupp and Carlson, relating to corporal punishment in schools.

HB 625, introduced by Representatives Nichols, Diehl and Kratky, relating to condemnation commissioners.

HB 626, introduced by Representatives Solon, Tilley, Hubbard, Nasheed, Nolte, Diehl, Haefner, Schoeller, Riddle and Higdon, relating to the senior citizens protection act for retired persons.

HB 627, introduced by Representative Curls, relating to contributions to political action committees.

HB 628, introduced by Representatives Dieckhaus, Scharnhorst, Leara and Tilley, relating to teacher continuing contracts.

HB 629, introduced by Representatives Cierpiot, Torpey, Cox, Schad, Smith (150), Dieckhaus, Berry, Elmer, Scharnhorst, Lichtenegger and Jones (89), relating to dates for conducting elections.

HB 630, introduced by Representative Grisamore, relating to the Missouri task force on prematurity and infant mortality.

HB 631, introduced by Representative Grisamore, relating to designation of tax refunds to the developmental disabilities waiting list equity trust fund.

HB 632, introduced by Representatives Frederick, Lichtenegger, Brattin, Franklin and White, relating to a controlled substances dispensation monitoring program.

HB 633, introduced by Representative Ruzicka, relating to the agritourism promotion act.

HB 634, introduced by Representative Ruzicka, relating to imposing costs of investigation and prosecution of criminal cases on defendants.

HB 635, introduced by Representatives Silvey, Hough, Gatschenberger, Carter, Colona, Hummel, Nasheed, Hinson, Richardson, Webb, McNeil, Scharnhorst, Hodges, Talboy, Conway (27) and Nichols, relating to paid members of any fire department or fire district.

HB 636, introduced by Representatives Oxford, Walton Gray, Pace, Atkins, Still, Newman, Schupp, Kirkton, McNeil, Montecillo, Carter, Nichols, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Curls, Lampe, Webber, Nasheed, Carlson, Swearingen, Peters-Baker, McCann Beatty, Hughes, Pierson, Zimmerman, Colona, Sifton, Taylor, Holsman, Webb, Kelly (24), Hubbard and Kander, relating to the compassionate assistance for rape emergencies act.

HB 637, introduced by Representatives Oxford, Smith (71), Walton Gray, Pace, Atkins, Kirkton, Montecillo, Jones (63), Carter, Talboy, Ellinger, Fallert, Curls, Nasheed, Brown (50), Hughes, Pierson, Hummel, McGeoghegan, Taylor, Holsman, Webb, Hubbard and McCann Beatty, relating to individual income tax.

HB 638, introduced by Representatives Funderburk, Tilley, Talboy, Silvey, Franz, Molendorp, Still, Nance, Colona, Parkinson, Gatschenberger, Scharnhorst, Hummel, Meadows and Ruzicka, relating to the insured vehicle identification network program.

HB 639, introduced by Representatives McNary, Dieckhaus, Koenig, Stream, Neth, Scharnhorst, Weter, Higdon, Wright, Diehl, McCaherty, Leara, Davis, White, Zerr, Kelley (126), Jones (117), Elmer, Brown (85), Wallingford, Leach, Cookson, Berry, Bahr, Jones (63), Black, Nasheed and Grisamore, relating to student progression.

HB 640, introduced by Representatives Neth, Hough, Long and Elmer, relating to electioneering.

HB 641, introduced by Representatives Franz, Burlison, Funderburk, Nance, Ruzicka, Lasater, Wells, Dugger, Long, Cross, Black, Gosen, Nolte and Loehner, relating to controlled substances.

HB 642, introduced by Representatives Cookson, Dieckhaus, Jones (63) and Rowland, relating to summer school.

COMMUNICATION

February 21, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Genise Montecillo
District 66

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 23, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HCR 17

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 23, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 87, HB 200, HB 445

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 118, HB 295

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 362, HB 473

FINANCIAL INSTITUTIONS

Wednesday, February 23, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held: HB 50, HB 173, HB 465

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 24, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 272, HB 412, HB 423, HB 201

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 23, 2011, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Presentations will be given by the Department of Economic Development and the Department of Agriculture.

JUDICIARY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 158, HB 159, HB 417, HB 404, HB 257

Executive session may be held on any matter referred to the committee.

AMENDED

LOCAL GOVERNMENT

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 70, HB 327

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2011, House Hearing Room 5.

12:00 PM, or upon morning adjournment if after 12:00 PM.

Public hearing to be held on: HB 311

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 409

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HB 36, HB 335, HB 429, HB 470
Executive session will be held: HJR 8
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 24, 2011, 8:30 AM House Hearing Room 1.
Public hearing to be held on: HCR 6, HCR 11, HB 98
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 24, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HB 286, HB 506, HB 144

HOUSE CALENDAR

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 23, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 37

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 27 through HJR 29

HOUSE BILLS FOR SECOND READING

HB 604 through HB 642

HOUSE BILLS FOR PERFECTION

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes

HCR 3, (2-8-11, Page 309) - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 23, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In returning and rest shall you be saved; in quietness and in confidence shall be your strength. (Isaiah 30:15)

O God, our Father, the light of the minds know You, the life of the spirits that love You, the strength of the souls that live with You - in quietness and confidence we lift our hearts to You in prayer this Missouri morning. Deliver us from unworthy thoughts, overanxious moods, tense spirits, and may we find rest and peace and joy with You.

Forgive our shortcomings, our failure to give You right-of-way in our lives, our insistence upon our way rather than Your way. May we never think of ourselves as sufficient for our responsibilities but may we find our sufficiency in You. Strengthen our hands and our hearts this day and use us for Your glory and for the good of our citizens.

We thank God for the return of Representative Wanda Brown in our midst today. May God continue to heal her. In God's Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caresa Jordon, Katie Weldon, Abigail Freeman, Alison Davis, Brittany Webb, Courtney Wasmer and Andrea Mason.

The Journal of the twenty-seventh day was approved as corrected.

Representative Riddle assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 698 through House Resolution No. 707

HOUSE CONCURRENT RESOLUTION

Representative Cierpiot, et al., offered House Concurrent Resolution No. 38.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 37 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 27 through **HJR 29** were read the second time.

SECOND READING OF HOUSE BILLS

HB 604 through **HB 642** were read the second time.

PERFECTION OF HOUSE BILLS

HB 139, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 139, Page 2, Section 37.857, Line 16, by inserting after all of said line the following:

“Section 1. The Office of Administration shall maintain travel accountability information detailing the Governor’s travel information in the Missouri Accountability Portal established under 37.850. The Missouri Accountability Portal shall provide public access to a complete, transparent and comprehensive database of all travel by the Governor. The travel information shall include, but is not limited to, the departure date, departure time, arrival date, arrival time, accompanying passengers, duration of the trip, purpose of the trip, destination, and detailed travel expenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus

McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Diehl	Ellinger	Hughes	Nasheed
Schupp	Wright	Zimmerman		

Representative Schoeller offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 139, Section 37.857, Page 2, Line 16, by inserting the following after all of said line:

“Section 1. The office of administration shall maintain municipal government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government financial and policy information as a means of creating better public understanding of municipal government policies, practices, and operations.

2. Individual municipal governmental entities shall collect and transmit, to the office of administration, the public information applicable to all municipal government as provided in this section.

3. Municipal governmental entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2** was adopted.

On motion of Representative Smith (150), **HB 139, as amended**, was ordered perfected and printed.

Speaker Tilley resumed the Chair.

HB 209, relating to private nuisance actions, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HB 209** was ordered perfected and printed.

Speaker Pro Tem Schoeller assumed the Chair.

HB 107, relating to vacancies in statewide offices, was taken up by Representative Smith (150).

Representative Hampton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 107, Page 1, Section 26.016, Line 10, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in the office of lieutenant governor occurs less than one year prior to the end of the term of office for the lieutenant governor position, then the governor may appoint an individual to hold the office of lieutenant governor until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and

Further amend said bill, Page 2, Section 27.015, Line 11, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in the office of attorney general occurs less than one year prior to the end of the term of office for the attorney general position, then the governor may appoint an individual to hold the office of attorney general until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and

Further amend said bill, Page 2, Section 28.190, Line 12, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in the office of secretary of state occurs less than one year prior to the end of the term of office for the secretary of state position, then the governor may appoint an individual to hold the office of secretary of state until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and

Further amend said bill, Page 2, Section 29.280, Line 11, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in the office of state auditor occurs less than one year prior to the end of the term of office for the state auditor position, then the governor may appoint an individual to hold the office of state auditor until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and

Further amend said bill, Page 3, Section 30.060, Line 11, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in the office state treasurer occurs less than one year prior to the end of the term of office for the state treasurer position, then the governor may appoint an individual to hold the office of state treasurer until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and

Further amend said bill, Page 3, Section 30.080, Line 1, by removing from the bill the phrase: “[appointment]” and inserting in lieu thereof the phrase: “appointment **or**”; and

Further amend said bill, Page 3, Section 105.030, Line 5, by inserting prior to the words: “be filled” the word: “**only**”; and

Further amend said section, Page 4, Line 24, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in any aforementioned office occurs less than one year prior to the end of the term of such office, then the governor may appoint an individual to hold such office until the next regular election required pursuant to section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and

Further amend said bill, Page 4, Section 105.040, Line 7, by inserting after all of said line the following:

“Notwithstanding the requirements of this section, if a vacancy in the office of senator of the United States occurs less than one year prior to the end of the term of office for the senator of the United States position, then the governor may appoint an individual to hold the office of senator of the United States until the next election required every six years pursuant to Amendment XVII of the Constitution of the United States for such office is held and a successor is duly qualified.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hampton, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HB 107, as amended**, was ordered perfected and printed.

HCS HB 205, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

Representative Neth offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 205, Pages 4 and 5, Section 213.101, Lines 1 to 35, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS HB 205, with House Amendment No. 1, pending, was laid over.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

PERFECTION OF HOUSE BILL

HCS HB 205, with House Amendment No. 1, pending, relating to unlawful discriminatory practices, was again taken up by Representative Elmer.

Representative Neth moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Curls	Curtman	Ellinger	Fallert	Harris

Hodges	Holsman	Hubbard	Hummel	Jones 63
Kirkton	Kratky	Lampe	Leach	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieber	Schieffer
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

NOES: 098

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 001

Kander

ABSENT WITH LEAVE: 008

Brown 50	Higdon	Hughes	Kelly 24	McGhee
Schupp	Silvey	Zimmerman		

Representative Jones (63) offered **House Amendment No. 2.**

Representative Jones (117) raised a point of order that **House Amendment No. 2** is dilatory.

The Chair ruled the point of order well taken.

Representative May offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 205, Page 2, Section 213.010, Line 39, by deleting all of said line and inserting in lieu thereof the following:

“or civil subdivision thereof, or [any person employing six or more persons within the state,] any”; and

Further amend said bill, page, and section, Line 40, by inserting an open bracket before “,but”; and

Further amend said bill, page, and section, Lines 42-43, by deleting the words “**an individual employed by an employer,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative May moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

NOES: 100

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 001

Kander

ABSENT WITH LEAVE: 007

Brown 50	Higdon	Hughes	Kelly 24	Schupp
Silvey	Zimmerman			

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Higdon	Hughes	Kelly 24	Schupp
Silvey	Zimmerman			

On motion of Representative Elmer, **HCS HB 205** was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 056

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 007

Brown 50	Higdon	Hughes	Kelly 24	Schupp
Silvey	Zimmerman			

On motion of Representative Elmer, **HCS HB 205** was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 3, relating to a proposed federal balanced budget amendment, was taken up by Representative Scharnhorst.

HCR 3 was laid over.

SPECIAL RECOGNITION

United States Senator Roy Blunt was introduced by Speaker Pro Tem Schoeller.

Senator Roy Blunt addressed the House.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 107** - Fiscal Review (Fiscal Note)
- HB 139** - Fiscal Review (Fiscal Note)
- HB 628** - Elementary and Secondary Education
- HB 639** - Elementary and Secondary Education

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledge for their military service and treated with equal respect:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation

for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 30, introduced by Representative Wyatt, relating to property tax exemption for veterans.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 643, introduced by Representatives May, Wyatt, Pierson, Nichols, Smith (71), Conway (14), Taylor, Kelly (24), Walton Gray, McGeoghegan and Ellinger, relating to the crime of criminal nonsupport.

HB 644, introduced by Representatives Schieffer, Nolte, Houghton and McNeil, relating to deceptive advertising practices.

HB 645, introduced by Representatives Schieffer, Korman, Faith and Houghton, relating to taxes for emergency telephone service.

HB 646, introduced by Representative Scharnhorst, relating to confidentiality of department of revenue records.

HB 647, introduced by Representative Schneider, relating to security of officers and contractors for public works.

HB 648, introduced by Representatives Montecillo, McNary, Grisamore, Wallingford, Lair, Brown (85), Fuhr, Reiboldt, Lant, Berry, Redmon, Schieffer, Hough, Rowland, Hinson, Gosen, Stream, Allen, Colona, Webb, Jones (89), May, Jones (63), Swearingen, Swinger, Fallert, Hummel, Sifton, McGeoghegan, Atkins, Talboy, Oxford, Hubbard, Pace, Bahr, Black, Smith (71), Pierson, Still, Silvey, Wyatt, Webber, Kander, McManus, Lampe, Carter, Newman, Meadows, Spreng,

Quinn, Walton Gray, Hodges, Kratky, McDonald, Anders, Fitzwater, McCann Beatty, Lasater and Diehl, relating to developmental disability.

HB 649, introduced by Representatives McGhee, Fisher, Lair and Grisamore, relating to tax credits for certain contributions.

HB 650, introduced by Representatives McGhee, Talboy, Grisamore, Scharnhorst, Still, Silvey and Casey, relating to the duties of the board of probation and parole.

HB 651, introduced by Representative Curls, relating to the Missouri housing development commission.

HB 652, introduced by Representatives Riddle, McGhee, Higdon, Schad, Reiboldt, Fisher, Burlison, Wells, Taylor, Frederick, Cierpiot, Pace and Gatschenberger, relating to assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, health care worker, or probation and parole officer.

HB 653, introduced by Representatives Cauthorn and Guernsey, relating to noxious weeds.

HB 654, introduced by Representatives Fitzwater, Smith (71), Dieckhaus, Jones (117), Kelley (126), Asbury, Fraker, Lauer, Redmon, Lant, Wallingford, Thomson, Cross, Day, Lasater, Conway (27), Atkins, Casey, Wells, Harris, McCann Beatty, McGeoghegan, Rizzo, May, Hubbard, Pierson, Ellinger, Nichols, Taylor, Schieffer, Hodges, McManus, Webb, Carter, Leach, Franklin, Grisamore, Lichtenegger, Talboy, Jones (63), Schatz, Cookson, Scharnhorst, Davis, Smith (150), Solon, Hampton, Fisher, Wright, Hough, Flanigan, Long, Brattin, Curtman, Keeney, Wyatt and Loehner, relating to the designation of veterans of operation Iraq/enduring freedom day.

HB 655, introduced by Representatives Lampe, Denison, Schupp, Newman, Kander, Carlson, Talboy, Long, Carter, Webb, Curls, Holsman, Jones (63), Colona, McCann Beatty, Swearingen, Sifton, Quinn, Kelly (24), Hummel, Harris, Shively, Atkins, Conway (27), Fallert, Taylor, Peters-Baker, Still, McNeil, McGeoghegan, Rizzo, Meadows, McDonald and Schieffer, relating to the designation of a memorial highway.

HB 656, introduced by Representatives Brandom, Solon, Hampton, Lampe, Redmon, McNary, Dieckhaus, Richardson, Long, Cookson, Tilley, Zerr, Meadows, Carter, Hodges, Colona, Hummel, Rizzo, Fallert, Jones (117), Smith (150), Wells, Conway (27), Black and Diehl, relating to unsecured loans of five hundred dollars or less.

HB 657, introduced by Representatives Allen, McNary, Flanigan, Haefner, Diehl, Wyatt, Leara, Faith, Solon, McCaherty, Guernsey, Lauer, Hoskins, Grisamore, Lichtenegger and Zerr, relating to audits.

HB 658, introduced by Representatives Schatz, Black, Houghton, Berry, Hinson, Redmon, Cross, Brown (85), Denison, Grisamore, Johnson, Dieckhaus, Reiboldt, Funderburk, Hampton, Lichtenegger, Schieffer, Franklin, Phillips, Wright, Fitzwater, Brattin, Rowland, Leach, Jones (117), Scharnhorst, McGhee, Atkins, Allen, Higdon, McCaherty, Zerr, Wallingford, Taylor, Casey, McNeil, McDonald, Gosen, Torpey, Cookson, Smith (71), Klippenstein, Largent, Fuhr, Wyatt,

Davis, McNary, Thomson, Gatschenberger, Elmer, Fraker, Ellinger, Kelley (126), Cauthorn, Faith, Shumake, Stream, Korman, Pierson, Spreng, Newman, Hodges, Entlicher, Conway (27) and Smith (150), relating to the meth lab elimination act.

WITHDRAWAL OF HOUSE BILL

February 23, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby request to have **House Bill No. 268** withdrawn which prohibits any person or business from engaging in blasting, excavating, or mining within one mile of a business or residential area.

If you have any questions regarding this communication, please contact my office.

Respectfully,

/s/ Brent Lasater
Representative
District 53

COMMUNICATION

February 22, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss,

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of possible interest in legislation that may be voted on during this legislative session.

As co-owner of Tin Mill Brewing Company, LLC, I am involved in the manufacture and sale of alcoholic beverages. The brewery is located in Hermann, Missouri and currently holds a Missouri micro-brewer's license and retail "beer only" license. We manufacture beer for sale on premise and to our distributors for distribution through-out the State of Missouri.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Sincerely,

/s/ Don Gosen
District 84

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 24, 2011.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Tuesday, February 22, 2011, Page 417, Line 35, by deleting all of said line and inserting in lieu thereof the following:

HB 431 - General Laws

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 503, HB 283

Executive session will be held: HB 187, HB 54, HB 240, HJR 16, HB 95

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 24, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 409

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, February 24, 2011, 8:45 AM House Hearing Room 6.

Executive session will be held: HCS HBs 116 & 316, HCS HB 213

Executive session may be held on any matter referred to the committee.

TAX REFORM

Tuesday, March 1, 2011, 6:30 PM, 516 South Country Club, Jefferson City.

Dinner Presentation on Tax Issues.

TOURISM AND NATURAL RESOURCES

Thursday, February 24, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HB 98

Executive session will be held: HCR 6, HCR 11

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Thursday, February 24, 2011, South Gallery upon morning adjournment.

Executive session will be held: HB 459

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 24, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 286, HB 506, HB 144

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 466, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 24, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 30

HOUSE BILLS FOR SECOND READING

HB 643 through HB 658

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 76 - Nolte
- 2 HCS HB 61 - Nolte
- 3 HCS HB 136 - Day
- 4 HB 167 - Nolte
- 5 HCS HB 214 - Zerr
- 6 HCS HB 276, 233 & 274 - Franz
- 7 HCS HB 329 - Diehl

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst
- 3 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 14 - Silvey
- 2 HB 15 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 139, (Fiscal Review 2-23-11) - Smith (150)
- 2 HB 209 - Guernsey
- 3 HB 107, (Fiscal Review 2-23-11) - Smith (150)
- 4 HCS HB 205 - Elmer

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 24, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My presence shall go with you and I will give you rest. (Exodus 33:14)

Our Father in heaven and on earth, Who has given us life and the promise of life eternal, on every hand we see evidences of Your spirit and of Your goodness to us. For the beauty of the earth, for the glory of the skies, for the love which from our birth over and around us lies, Lord of all to You we raise this our prayer of grateful praise.

We thank You for Your presence in our hearts, making us strong, giving us confidence, and helping us to live in good will with our fellow citizens. We thank You for our nation and state - this land of the free and the home of the brave. May we now and always play our full part in keeping the flag of freedom forever flying over our Show- Me State.

We thank You for these men and women in the House for their devotion to Missouri and their dedication to You. May Your presence go with them all the day long in the Chamber, in their offices, and in their homes.

The House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 708 through House Resolution No. 746

HOUSE CONCURRENT RESOLUTION

Representatives Leara and Allen offered House Concurrent Resolution No. 39.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 30 was read the second time.

SECOND READING OF HOUSE BILLS

HB 643 through **HB 658** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 107** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 139** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Nolte assumed the Chair.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 14** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey

Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Diehl	Higdon	Hughes	Kelly 24
Webb	Zimmerman			

Representative Nolte declared the bill passed.

HB 15, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 15** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Brown 50	Conway 27	Diehl	Higdon
Hughes	Kelly 24	Marshall	Smith 71	Webb
Zimmerman				

Representative Nolte declared the bill passed.

Speaker Tilley resumed the Chair.

THIRD READING OF HOUSE BILLS

HB 139, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 139** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Diehl	Higdon	Hughes
Kelly 24	Smith 71	Swearingen	Zimmerman	

Speaker Tilley declared the bill passed.

HB 209, relating to private nuisance actions, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HB 209** was read the third time and passed by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 043

Anders	Atkins	Carlson	Carter	Casey
Colona	Ellinger	Fallert	Harris	Hubbard
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson

448 *Journal of the House*

Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Conway 27	Curls	Diehl	Flanigan
Higdon	Hughes	Kelly 24	Nasheed	Nolte
Zimmerman				

Speaker Tilley declared the bill passed.

HB 107, relating to vacancies in statewide offices, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 107** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Conway 27	Curls	Diehl	Higdon
Hughes	Kelly 24	Zimmerman		

Speaker Tilley declared the bill passed.

HCS HB 205, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HB 205** was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Smith 150	Stream
Swinger	Thomson	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 059

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kirkton	Kratky	Lampe
Leach	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Montecillo	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schneider	Schupp	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Weter	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Curls	Diehl	Higdon
Hughes	Kander	Kelly 24	Zimmerman	

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 25 - Tourism and Natural Resources
HCR 26 - Tourism and Natural Resources
HCR 27 - Tourism and Natural Resources
HCR 28 - International Trade and Job Creation
HCR 30 - Health Care Policy
HCR 33 - Veterans
HCR 35 - Veterans
HCR 36 - Veterans
HCR 38 - Economic Development

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 9 - Higher Education
HJR 18 - General Laws
HJR 21 - Elections
HJR 27 - General Laws
HJR 29 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 31 - Insurance Policy
HB 34 - Health Care Policy
HB 93 - Crime Prevention and Public Safety
HB 122 - Professional Registration and Licensing
HB 132 - Financial Institutions
HB 145 - Local Government
HB 188 - Local Government
HB 194 - Judiciary
HB 210 - Utilities
HB 267 - Special Standing Committee on Renewable Energy
HB 269 - Judiciary

HB 299 - Transportation
HB 310 - Ways and Means
HB 317 - Crime Prevention and Public Safety
HB 318 - Health Insurance
HB 324 - Transportation Funding and Public Institutions
HB 337 - Crime Prevention and Public Safety
HB 344 - Agri-Business
HB 345 - Agri-Business
HB 346 - Ways and Means
HB 352 - Higher Education
HB 354 - Transportation Funding and Public Institutions
HB 359 - Financial Institutions
HB 385 - Economic Development
HB 386 - Small Business
HB 396 - Judiciary
HB 397 - Workforce Development and Workplace Safety
HB 400 - Local Government
HB 402 - Judiciary
HB 403 - Small Business
HB 418 - Health Care Policy
HB 420 - Health Insurance
HB 425 - Tax Reform
HB 428 - Tourism and Natural Resources
HB 432 - General Laws
HB 433 - Crime Prevention and Public Safety
HB 438 - Local Government
HB 450 - Transportation
HB 451 - Financial Institutions
HB 461 - Financial Institutions
HB 462 - Utilities
HB 472 - Tourism and Natural Resources
HB 476 - Elementary and Secondary Education
HB 478 - Elections
HB 483 - Children and Families
HB 484 - Transportation Funding and Public Institutions
HB 488 - Transportation
HB 489 - Transportation
HB 491 - General Laws
HB 494 - Higher Education
HB 495 - Professional Registration and Licensing
HB 496 - Professional Registration and Licensing
HB 498 - Local Government
HB 501 - Utilities
HB 505 - Judiciary
HB 507 - Health Insurance
HB 511 - Elementary and Secondary Education
HB 513 - Special Standing Committee on Disability Services

- HB 515** - Children and Families
- HB 520** - Tax Reform
- HB 521** - Elections
- HB 522** - Financial Institutions
- HB 525** - Insurance Policy
- HB 526** - Professional Registration and Licensing
- HB 528** - Health Insurance
- HB 530** - Judiciary
- HB 531** - Insurance Policy
- HB 532** - Elementary and Secondary Education
- HB 538** - Corrections
- HB 539** - Corrections
- HB 540** - Crime Prevention and Public Safety
- HB 541** - Economic Development
- HB 542** - Local Government
- HB 544** - Crime Prevention and Public Safety
- HB 545** - Tourism and Natural Resources
- HB 548** - Transportation Funding and Public Institutions
- HB 549** - Ways and Means
- HB 550** - Financial Institutions
- HB 554** - Professional Registration and Licensing
- HB 555** - Special Standing Committee on Disability Services
- HB 556** - Special Standing Committee on Disability Services
- HB 557** - Special Standing Committee on Disability Services
- HB 558** - Special Standing Committee on Disability Services
- HB 559** - Elementary and Secondary Education
- HB 560** - Special Standing Committee on Disability Services
- HB 561** - Special Standing Committee on Disability Services
- HB 562** - Special Standing Committee on Disability Services
- HB 563** - Health Care Policy
- HB 564** - Economic Development
- HB 565** - Children and Families
- HB 566** - Local Government
- HB 571** - Ways and Means
- HB 573** - Health Insurance
- HB 578** - Tourism and Natural Resources
- HB 579** - Health Care Policy
- HB 580** - Health Care Policy
- HB 581** - Tax Reform
- HB 582** - Elementary and Secondary Education
- HB 583** - Elementary and Secondary Education
- HB 584** - Financial Institutions
- HB 585** - Judiciary
- HB 589** - Crime Prevention and Public Safety
- HB 590** - Judiciary
- HB 591** - Professional Registration and Licensing
- HB 592** - General Laws

HB 593 - Elections
HB 595 - Transportation
HB 596 - General Laws
HB 603 - Professional Registration and Licensing
HB 604 - Special Standing Committee on Disability Services
HB 607 - Health Insurance
HB 613 - Special Standing Committee on Renewable Energy
HB 625 - Local Government
HB 626 - Financial Institutions
HB 629 - Elections
HB 636 - Children and Families
HB 637 - Tax Reform
HB 641 - General Laws
HB 648 - Special Standing Committee on Disability Services
HB 655 - Transportation
HB 656 - Financial Institutions

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HJR 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 116 & 316**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 40, introduced by Representatives McNeil, Holsman, Atkins, Oxford, Carlson, Schupp, Newman, Kirkton, Taylor, Nichols, Lampe, Smith (71), McCann Beatty, McDonald, Spreng, Sifton, Pace, McGeoghegan, Rizzo, Webb, Webber, Colona, Talboy, Jones (63), Ellinger and Pierson, relating to the ratification of the Equal Rights Amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 31, introduced by Representatives Wells, Pollock, Fraker, Riddle, Curtman, Franz, Loehner, Schoeller, Wright, Klippenstein, Denison, Flanigan, Tilley, Diehl, Allen, Gatschenberger, Schad, Wyatt, Lair, Hoskins, Thomson, Stream, Largent, Guernsey, Dugger, Lasater, Fisher, Bahr, Phillips, Sater, Elmer, Grisamore, Parkinson, Berry, Kelley (126), Long, Smith (150), Lichtenegger, Entlicher, Davis, Brattin, Crawford, Cauthorn, Neth, Lant, Reiboldt, Brown (85), Fuhr, Redmon, Johnson, Bernskoetter, Jones (117), Cierpiot, Brandom, Asbury, Wallingford, Leara, Lauer, McNary, Higdon, Houghton, Faith, Keeney, Fitzwater, Franklin, Hinson, Leach, Hampton, Meadows, Day, Silvey, Burlison, Jones (89), Ruzicka, Koenig, McGhee, Schatz, Cross, Shumake, Funderburk, Wieland, Scharnhorst, Conway (14), Zerr, Haefner, Brown (116), Frederick, Casey, Schieffer, Conway (27), Atkins, McDonald, McManus, Hodges, Harris, Taylor, Aull, Swearingen, Webb, Fallert, Nance, Weter, Marshall, Schieber, Cookson, Rowland and Schneider, relating to the judicial department.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 659, introduced by Representatives Denison, Schad, Stream, Diehl, Allen, McNary, Gosen, Fuhr, Ellinger, Hummel, Meadows, Carlson and Kirkton, relating to the procurement of construction by the design-build method by certain sewer districts.

HB 660, introduced by Representative Rizzo, relating to prostitution control.

HB 661, introduced by Representatives Wells, Meadows, Pollock, Fraker, Franz, Schneider and Denison, relating to debt adjusters.

HB 662, introduced by Representatives Bernskoetter, Barnes, Jones (89), Schoeller, Tilley and Diehl, relating to the Missouri housing development commission.

HB 663, introduced by Representatives Ruzicka, Phillips, Schad, Loehner and Fuhr, relating to a surcharge in all criminal cases.

HB 664, introduced by Representatives Leara and Colona, relating to the firemen's retirement system of St. Louis.

HB 665, introduced by Representatives Leara and Colona, relating to the firefighter's retirement system of St. Louis.

HB 666, introduced by Representatives Bernskoetter, Barnes and Sater, relating to medical benefits for bariatric surgery under the Missouri consolidated health care plan.

HB 667, introduced by Representatives Carter, Curls, Taylor, Talboy, Hummel, Pace, McNeil, Jones (63), Walton Gray, May, Hubbard, Oxford, Pierson and Nasheed, relating to the prostate cancer pilot program.

HB 668, introduced by Representatives Meadows, Brandom, Lichtenegger, Zerr, Wells, Kratky, Sifton, Fallert, Hodges, Harris, Schieffer, Shively and Long, relating to funeral directors.

HB 669, introduced by Representative Molendorp, relating to insurance coverage for certain services.

HB 670, introduced by Representatives Hough, Zerr, Allen, Lichtenegger, Franz, Cierpiot, Richardson, Wallingford, Hinson, Phillips, Fraker, Jones (117), Redmon, Long, Dugger, Ruzicka, Sater, Schoeller and Korman, relating to tax incentives for business development.

HB 671, introduced by Representative Molendorp, relating to community improvement districts.

HB 672, introduced by Representatives Dugger, Ruzicka, Koenig, Gatschenberger, Dieckhaus, Hummel, Entlicher and Denison, relating to marshals in fourth class cities.

HB 673, introduced by Representatives Largent, Hoskins, Molendorp, Kelley (126) and Taylor, relating to military honors.

HB 674, introduced by Representative Largent, relating to tax credits for freight line companies.

HB 675, introduced by Representatives Largent and Hoskins, relating to county coroner training.

HB 676, introduced by Representatives Wells, Pollock, Fraker, Aull, Hummel, McDonald, Oxford, Conway (27), Denison, Hodges, Fallert, Casey, Schieffer, Atkins, Montecillo, McGeoghegan, Rizzo, Colona, Jones (63), Talboy, Spreng, Carlson, Harris, Walton Gray, Anders, Hubbard, Pace, Webber, Curls, Webb, Still, McNeil, Newman, Shively, Houghton, Smith (71), Taylor, Quinn, Hampton, Wright, Nance, Redmon, Peters-Baker, Kratky, Black, Ellinger and McManus, relating to prescription eye drop refills.

HB 677, introduced by Representatives Wells, Schoeller, Lauer, Kelley (126), Jones (117), Pollock, Smith (150), Brandom, Fitzwater, Riddle, Cookson, Faith, Funderburk, Scharnhorst, Nolte, Keeney, Weter, Diehl, Silvey, Shumake, Crawford, Long, Entlicher, Ruzicka, Schneider, Stream, McGhee, Fraker, Denison, Hodges, Aull, Fallert, Hummel, Casey, McDonald, Schieffer, Oxford, Atkins, Conway (27), Montecillo, McGeoghegan, Rizzo, Colona, Jones (63), Talboy, Spreng, Carlson, Harris, Walton Gray, Anders, Pace, Hubbard, Webber, Curls, Webb, Still, McNeil, Newman, Shively, Houghton, Smith (71), Taylor, Quinn, Hampton, Wright, Nance, Redmon, Peters-Baker, Kratky, Black, McManus, Ellinger, Cox, Bernskoetter, Richardson, Lant, Schupp, Pierson, May, Conway (14), Swearingen, Nichols, Molendorp, Guernsey, Hoskins, Largent, Barnes, Kander, Franz, Burlison, Torpey, Gosen, Lasater and Rowland, relating to vision examinations for school children.

HB 678, introduced by Representatives Schatz and Pollock, relating to underground facilities.

HB 679, introduced by Representatives Rowland, Redmon, Hampton, Brown (85), Cookson, Swinger, Aull, Shumake, Schad and Dieckhaus, relating to school reserve funds.

HB 680, introduced by Representatives White, Sater, Davis, Lant, Wallingford, Shumake, Crawford, Lichtenegger, Franklin, Brattin, Reiboldt, Fuhr, Brown (85), Wieland, Entlicher, Flanigan, McManus and Long, relating to adoption proceedings.

HB 681, introduced by Representative Walton Gray, relating to nomination of candidates in certain elections.

HB 682, introduced by Representatives McNeil, Schupp, Spreng, Sifton, Pace, Walton Gray, Newman, Oxford, McGeoghegan, Rizzo, Webb, Hummel and Webber, relating to funding for research projects by the University of Missouri board of curators.

HB 683, introduced by Representatives Peters-Baker, Higdon, Newman, Kirkton, McGeoghegan, Montecillo and McCann Beatty, relating to the safe place for newborns act.

HB 684, introduced by Representatives Peters-Baker, Newman, Spreng, Kirkton, Ellinger, McGeoghegan, Montecillo, McCann Beatty and Sifton, relating to drivers' licenses.

HB 685, introduced by Representatives Richardson, Frederick and Diehl, relating to certificate of need.

HB 686, introduced by Representative Richardson, relating to mining permits.

HB 687, introduced by Representatives Brandom, Hodges, Kratky, Meadows, Quinn, Weter, Wallingford, Swinger, Lichtenegger, Hampton and Wright, relating to the creation of the Missouri homeowners mutual insurance company.

HB 688, introduced by Representative Pollock, relating to the Missouri public service commission.

HB 689, introduced by Representatives Still, Wright, Phillips, Grisamore, Aull, Shively, Quinn, Black, Harris, Hodges, Conway (27), Stream, Cox, Schatz, Molendorp, Kander, Webber, Meadows, Wells, Funderburk, Swinger and McGhee, relating to Missouri state humane association special license plate.

HB 690, introduced by Representatives Bahr, Koenig, Wieland, Lasater, McNary, Conway (14), Kelley (126), Brattin, Brown (85), McGhee and Leach, relating to child immunizations.

HB 691, introduced by Representatives Schad, Jones (117), Conway (14), Ruzicka and Cierpiot, relating to endangerment of emergency workers.

HB 692, introduced by Representatives Schad, Cox, Funderburk, Largent, Loehner, Jones (89), Jones (117), Phillips, Higdon, Hinson, Bernskoetter, Scharnhorst, Rowland and Schatz, relating to supreme court review of death sentences.

HB 693, introduced by Representatives Schad, Cox, Largent, Loehner, Higdon, Hinson, and Scharnhorst, relating to receiving stolen property.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 2**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 13**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section relating to a task force to study teacher compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 33**, entitled:

An act to repeal section 226.095, RSMo, relating to the abolishment of mandatory arbitration in negligence actions where the department of transportation is a defendant.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 58**, entitled:

An act to repeal sections 387.040, 387.050, 387.080, 387.137, 387.139, 387.207, 387.110, 390.051, 390.061, 390.081, 390.101, 390.116, and 390.280, RSMo, and to enact in lieu thereof fifteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 71**, entitled:

An act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 108**, entitled:

An act to repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to the installation of fire sprinklers in certain dwellings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 174**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 24, 2011

D. Adam Crumbliss, Chief Clerk
201 West Capitol Ave.
Room 307
Jefferson City, MO 65101

Chief Clerk Crumbliss,

I request my **House Bill No. 225** be withdrawn from consideration as soon as possible. If you have any questions regarding this issue, please feel free to contact me.

Sincerely,

/s/ Ellen Brandom
District 160

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 28, 2011.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Lyndall Fraker, District 145, hereby state and affirm that my vote as recorded on Page 416 of the Journal of the House for Tuesday, February 22, 2011, to third read and finally pass House Bill No. 71, was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 24th day of February 2011.

/s/ Lyndall Fraker
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 24th day of February in the year 2011.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 344, HB 345

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17

Executive session may be held on any matter referred to the committee.

BUDGET

Monday, February 28, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review Appropriations Committee amendments in the following order of Committees:

Education; General Administration; Transportation and Economic Development;

Agriculture and Natural Resources; Public Safety and Corrections;

Health, Mental Health and Social Services.

CANCELLED

BUDGET

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review Appropriations Committee amendments in the following order of Committees:

Education; General Administration; Transportation and Economic Development;

Agriculture and Natural Resources; Public Safety and Corrections;

Health, Mental Health and Social Services.

CORRECTED

BUDGET

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources, Public Safety and Corrections; Health, Mental Health and Social Services.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 28, 2011, 1:00 PM House Hearing Room 1.

Public hearing will be held: HB 395, HB 449

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 251, HB 357, HB 467, HB 468

Executive session may be held on any matter referred to the committee.

HB 467 and HB 468 Working session only (NO PUBLIC TESTIMONY).

CORRECTED

ELECTIONS

Tuesday, March 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 503, HB 283

Executive session will be held: HB 187, HB 54, HB 240, HJR 16, HB 95

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 458

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 300, HB 328, HB 334, HB 387

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 352

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 28, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 313, HB 525

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 28, 2011, 1:30 PM House Hearing Room 7.

Executive Session will be held: HJR 2, HJR 6, HCS HJR 5, HCS HB 174, HCS HBs 112 & 285, HB 442, HCS HB 108, HCS HB 83, HB 109, HB 127, HB 137, HB 149, HB 151, HB 153, HB 171, HB 183, HB 186, HB 190, HB 204, HB 217, HB 229, HCS HB 250, HB 263, HB 282, HCS HB 315, HCS HB 338, HB 358, HB 360, HB 142, HB 184, HB 415, HCR 7, HB 189, HCS HB 363

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, March 1, 2011, 5:00 PM.

Moreland Ridge Middle School, 900 SW Bishop Drive, Blue Springs 64015.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 2, 2011, 3:00 PM.

Mexico Chamber of Commerce, 100 West Jackson St, Mexico 65265.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.

Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 4, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

TAX REFORM

Tuesday, March 1, 2011, 6:30 PM, 516 South Country Club, Jefferson City.

Dinner Presentation on Tax Issues.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 466, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTIETH DAY, MONDAY, FEBRUARY 28, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 40

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 31

HOUSE BILLS FOR SECOND READING

HB 659 through HB 693

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 76 - Nolte
- 2 HCS HB 61 - Nolte
- 3 HCS HB 136 - Day
- 4 HB 167 - Nolte
- 5 HCS HB 214 - Zerr
- 6 HCS HBs 276, 233 & 274 - Franz
- 7 HCS HB 329 - Diehl
- 8 HCS HB 116 & 316 - Flanigan
- 9 HCS HB 213 - Jones (89)

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst
- 3 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 2

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 13
- 2 SB 33
- 3 SS SCS SB 58
- 4 SB 71
- 5 SCS SB 108
- 6 SB 174

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTIETH DAY, MONDAY, FEBRUARY 28, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Keith Spaugh, Chapel Lake Church, Lake St. Louis, Missouri.

Great God and Father,

We come before You this afternoon with grateful hearts, rejoicing in the bountiful blessings which You have showered upon us. We are truly a blessed people.

We thank You for this great land in which we live and the privilege of being a self-governing people - for the ability to have these representatives gather here to propose, debate, and vote to determine according to conscience the laws under which we shall live as a people.

Your Word says, "He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God." (*Micah 6:8- NIV*)

Therefore, O God, it is our prayer that these words will guide what this legislative body does in these days of session - that they will act in justice, that they will love mercy, and that they will live in humility and move in accordance to Your wisdom.

We ask Your blessing upon them; shine the light of Your grace upon this body as we now commend them to Your service, O LORD. In the name of Jesus we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-ninth day was approved as printed.

Representative Richardson assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 747 through House Resolution No. 760

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 40 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 31 was read the second time.

SECOND READING OF HOUSE BILLS

HB 659 through **HB 693** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 2 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 13, SB 33, SS SCS SB 58, SB 71, SCS SB 108 and **SB 174** were read the second time.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 3, relating to a balanced budget amendment, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCR 3** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McDonald	McGhee	McManus	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey

Smith 150	Solon	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 030

Atkins	Brown 50	Carlson	Carter	Colona
Curls	Hubbard	Hummel	Jones 63	Kirkton
May	McCann Beatty	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Smith 71	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Aull	Ellinger	Hughes	Meadows	Quinn
Schupp				

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 76, relating to corporate franchise tax, was taken up by Representative Nolte.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 76, Page 2, Section 147.010, Line 28, by deleting the words “**January 1, 2012**” and inserting in lieu thereof the words “**December 31, 2011**”; and

Further amend said bill, Page 2, Section 147.010, Page 2, Line 31, by deleting the words “**January 1, 2016**” and inserting in lieu thereof the words “**December 31, 2015**”; and

Further amend said bill, Page 2, Section 147.010, Page 2, Line 33, by inserting after the word “revenue.” the following:

“For all taxable years beginning on or after January 1, 2011 but before December 31, 2015, a corporation's annual tax liability under this chapter shall not exceed the amount of annual franchise tax liability of such corporation for the taxable year ending on or before December 31, 2010. If the corporation had no annual franchise tax liability under this chapter for the taxable year ending on or before December 31, 2010, because such corporation was not in existence or doing business in Missouri, the annual franchise tax for the first taxable year in which such corporation exists shall be determined by applying the applicable rate of tax provided under the provisions of this subsection to the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed ten million dollars, but in no case shall such corporation's tax liability for any subsequent taxable year exceed the amount of annual franchise tax liability of such corporation for the first full taxable year such corporation was in existence or doing business in Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Leara offered House Amendment No. 2.*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 76, Section 147.010, Page 3, Line 87, by inserting after all of said section, the following:

“148.064. 1. Notwithstanding any law to the contrary, this section shall determine the ordering and limit reductions for certain taxes and tax credits which may be used as credits against various taxes paid or payable by banking institutions. Except as adjusted in subsections 2, 3 and 6 of this section, such credits shall be applied in the following order until used against:

- (1) The tax on banks determined under subdivision (2) of subsection 2 of section 148.030;
- (2) The tax on banks determined under subdivision (1) of subsection 2 of section 148.030;
- (3) The state income tax in section 143.071.

2. The tax credits permitted against taxes payable pursuant to subdivision (2) of subsection 2 of section 148.030 shall be utilized first and include taxes referenced in subdivisions (2) and (3) of subsection 1 of this section, which shall be determined without reduction for any tax credits identified in subsection 5 of this section which are used to reduce such taxes. Where a banking institution subject to this section joins in the filing of a consolidated state income tax return under chapter 143, the credit allowed under this section for state income taxes payable under chapter 143 shall be determined based upon the consolidated state income tax liability of the group and allocated to a banking institution, without reduction for any tax credits identified in subsection 5 of this section which are used to reduce such consolidated taxes as provided in chapter 143.

3. The taxes referenced in subdivisions (2) and (3) of subsection 1 of this section may be reduced by the tax credits in subsection 5 of this section without regard to any adjustments in subsection 2 of this section.

4. To the extent that certain tax credits which the taxpayer is entitled to claim are transferable, such transferability may include transfers among such taxpayers who are members of a single consolidated income tax return, and this subsection shall not impact other tax credit transferability.

5. For the purpose of this section, the tax credits referred to in subsections 2 and 3 shall include tax credits available for economic development, low-income housing and neighborhood assistance which the taxpayer is entitled to claim for the year, including by way of example and not of limitation, tax credits pursuant to the following sections: section 32.115, section 100.286, and sections 135.110, 135.225, 135.352 and 135.403.

6. For tax returns filed on or after January 1, 2001, including returns based on income in the year 2000, and after, a banking institution shall be entitled to an annual tax credit equal to one-sixtieth of one percent of its outstanding shares and surplus employed in this state if the outstanding shares and surplus exceed one million dollars, determined in the same manner as in section 147.010. This tax credit shall be taken as a dollar-for-dollar credit against the bank tax provided for in subdivision (2) of subsection 2 of section 148.030; if such bank tax was already reduced to zero by other credits, then against the corporate income tax provided for in chapter 143.

7. In the event the corporation franchise tax in chapter 147 is repealed by the general assembly, there shall also be a reduction in the taxation of banks as follows: in lieu of the loss of the corporation franchise tax credit reduction in subdivision (1) of subsection 2 of section 148.030, the bank shall receive a tax credit equal to one and one-half percent of net income as determined in this chapter. This subsection shall take effect at the same time the corporation franchise tax in chapter 147 is repealed.

8. An S corporation bank or bank holding company that otherwise qualifies to distribute tax credits to its shareholders shall pass through any tax credits referred to in subsection 5 of this section to its shareholders as otherwise provided for in subsection 9 of section 143.471 with no reductions or limitations resulting from the transfer through such S corporation, and on the same terms originally made available to the original taxpayer, subject to any original dollar or percentage limitations on such credits, and when such S corporation is the original taxpayer, treating such S corporation as having not elected Subchapter S status.

9. Notwithstanding any law to the contrary, in the event the corporation franchise tax in chapter 147 is repealed by the general assembly, after such repeal all Missouri taxes of any nature and type imposed directly or used as a tax credit against the bank's taxes shall be passed through to the S corporation bank or bank holding company shareholder in the form otherwise permitted by law, except for the following:

- (1) Credits for taxes on real estate and tangible personal property owned by the bank and held for lease or rental to others;
- (2) Contributions paid pursuant to the unemployment compensation tax law of Missouri; or

(3) State and local sales and use taxes collected by the bank on its sales of tangible personal property and the services enumerated in chapter 144.

10. For tax returns filed on or after January 1, 2012, any financial institution that is a limited liability company or limited liability partnership may claim the tax credit for such company's or partnership's annual franchise tax liability as provided in subsection 6 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 2** was adopted.

Representative Lampe offered **House Amendment No. 3**.

Representative Richardson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Webber offered **House Amendment No. 4**.

Representative Jones (117) raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shively offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 76, Page 3, Section 147.010, Line 87, by inserting after all of said line the following:

"9. For tax years beginning on or after January 1, 2011, no annual franchise tax shall be imposed under this section on any corporation organized for agricultural purposes or to any farm, farm dealer, or livestock operation.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shively moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 046

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curls
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Peters-Baker	Pierson	Rizzo	Schieffer	Shively

Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Zimmerman				

NOES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Aull	Diehl	Ellinger	Hughes	Quinn
Schupp				

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curls
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 006

Aull	Bahr	Ellinger	Hughes	Quinn
Schupp				

On motion of Representative Nolte, **HCS HB 76, as amended**, was adopted.

On motion of Representative Nolte, **HCS HB 76, as amended**, was ordered perfected and printed.

HCS HBs 276, 233 & 274, relating to unlawful picketing of a funeral, was taken up by Representative Franz.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 276, 233 & 274, Page 2, Section 578.503, Line 9, by inserting after all of said line the following:

“3. For any cause of action brought pursuant to actions which violate this section to recover for emotional distress, the plaintiff shall not be required to prove physical manifestation of such damage.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 276, 233 & 274, Page 1, Line 6, by inserting at the end of said line the following:

‘Further amend said bill, Page 2, Section 578.503, Line 9, by inserting at the end of said section and line the following:

“Section 1. The provisions of sections 578.501 to 578.503 are severable. If any part of sections 578.501 to 578.503 are declared invalid or unconstitutional, it is the intent of the legislature that the remaining portions of sections 578.501 to 578.503 shall remain and be in full force and effect.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Barnes, **House Amendment No. 1, as amended**, was adopted.

Representative Black offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 276, 233 & 274, Page 2, Section 578.502, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"located within five hundred feet of a cemetery, mortuary, church, or other place of"; and

Further amend said bill, Page 2, Section 578.503, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"in picketing from two hours prior through two hours following the commencement of a"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 2** was adopted.

HCS HBs 276, 233 & 274, as amended, was laid over.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 118**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 199**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 465**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, more than 4,000,000 Americans served in World War I; and

WHEREAS, there is no nationally recognized memorial honoring the service of those over 4,000,000 Americans; and

WHEREAS, in 1919, the people of Kansas City, Missouri, expressed an outpouring of support and raised more than \$2 million in two weeks for a memorial to the service of Americans who served in World War I. This fund was an accomplishment unparalleled by any other city in the United States, irrespective of population; and

WHEREAS, on November 1, 1921, more than 100,000 people witnessed the dedication of the site for the Liberty Memorial in Kansas City, Missouri; and

WHEREAS, General of the Armies John J. Pershing, a native of Missouri and the Commander of the American Expeditionary Forces in World War I, noted at the November 1, 1921, dedication that "the people of Kansas City, Missouri, are deeply proud of the beautiful memorial, erected in tribute to the patriotism, the gallant achievements, and the heroic sacrifices of their sons and daughters who served in our country's armed forces during the World War. It symbolized their grateful appreciation of duty well done, an appreciation which I share, because I know so well how richly it is merited"; and

WHEREAS, the 217 foot Liberty Memorial Tower has an inscription that reads, "In Honor of Those Who Served in the World War in Defense of Liberty and Our Country" as well as four stone "Guardian Spirits" representing courage, honors, patriotism, and sacrifices, which rise above the observation deck, making the Liberty Memorial a noble tribute to all who served in World War I; and

WHEREAS, the 106th Congress recognized the Liberty Memorial as a national symbol of World War I; and

WHEREAS, the 108th Congress designated the museum at the base of the Liberty Memorial as "American's National World War I Museum"; and

WHEREAS, the American's World War I Museum is the only public museum in the United States specifically dedicated to the history of World War I; and

WHEREAS, the National World War I Museum is known throughout the world as a major center of World War I remembrance:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urges the United States Congress to designate the Liberty Memorial, Kansas City, Missouri, at the National World War I Museum in Kansas City, Missouri, as the "National World War I Memorial"; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority Leader and Minority Leader of the United States Senate and United States House of Representatives, and each member of the Missouri Congressional delegation.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 459**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 83**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 109**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 112 & 285**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 137**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 151**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 153**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 174**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 186**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 189**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 204**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 338**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 32, introduced by Representatives Colona, Spreng, Oxford, Walton Gray, Newman, Jones (63), Atkins and McGeoghegan, relating to the general assembly.

HJR 33, introduced by Representatives Crawford, Largent, Entlicher, Smith (150), Gosen, Berry, Allen, Kelley (126), Haefner, Lichtenegger, Lauer, Brown (116), Brown (85), Davis, Lant, White, Rowland, Fraker, Conway (14), Frederick, Houghton, Franklin, Wells and Dugger, relating to a member of the general assembly removing himself or herself from the state for the purpose of avoiding any official duty or vote.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 694, introduced by Representative Barnes, relating to public election dates.

HB 695, introduced by Representatives Frederick, Hough, Webber, McNeil, Thomson, Wyatt, Wallingford, Conway (27) and McCaherty, relating to fine arts education.

HB 696, introduced by Representatives Gosen and Wieland, relating to contracts for construction work.

HB 697, introduced by Representatives Smith (150), Burlison, Long, Bahr, McNary and Richardson, relating to the repromulgation of state administrative rules.

HB 698, introduced by Representatives Colona, Holsman, Oxford, Walton Gray, Jones (63), Atkins, Ellinger, Spreng, McGeoghegan and Carlson, relating to the use for marijuana for medicinal purposes.

HB 699, introduced by Representatives Colona, Newman, Atkins, Oxford, McCann Beatty, McGeoghegan, Hodges, Hummel and Conway (27), relating to election procedures.

HB 700, introduced by Representatives Colona, Spreng, Oxford, Walton Gray, Hummel, Newman and Jones (63), relating to the creation of a death penalty commission.

HB 701, introduced by Representatives Colona, Oxford, Walton Gray, Hummel, Newman, Atkins and McGeoghegan, relating to workers' compensation.

HB 702, introduced by Representatives Colona, Oxford, Hummel, Newman, Atkins and McGeoghegan, relating to the second injury fund.

HB 703, introduced by Representatives Colona, Spreng, Oxford, Newman, Atkins, Hummel and McGeoghegan, relating to public employee labor organizations.

HB 704, introduced by Representatives Curls and McCann Beatty, relating to landlord-tenant law.

HB 705, introduced by Representatives Curls and McCann Beatty, relating to low-income housing tax credits.

HB 706, introduced by Representative Zerr, relating to abandoned easements.

HB 707, introduced by Representatives Brown (50), Curls, McDonald, Talboy, Peters-Baker, Conway (27), Walton Gray, Hummel, Webb, Black, Carter, Lasater, Rizzo, McGeoghegan, McCann Beatty, Pace, McGhee, Colona, Casey, Fallert, Meadows and Nolte, relating to land tax collection.

HB 708, introduced by Representatives Curtman, Bahr, Jones (89), Tilley, Smith (150), Entlicher, Fuhr, Wells, Franklin, Dugger, Dieckhaus, Stream, Allen, Koenig, Higdon, Leach, McCaherty, Wieland, Phillips, Long, Hinson, Korman, Wallingford, Asbury, Jones (117), Cox, Lichtenegger, Brattin, Fitzwater, Franz, Neth, Houghton, McNary, Hoskins, Brown (85), Scharnhorst, Conway (14), Haefner and Solon, relating to choice of law.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 187**, entitled:

An act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 1, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 344, HB 345

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17

Executive session may be held on any matter referred to the committee.

BUDGET

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources; Public Safety and Corrections; Health, Mental Health and Social Services.

CORRECTED

BUDGET

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources; Public Safety and Corrections; Health, Mental Health and Social Services.

CHILDREN AND FAMILIES

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 565, HB 483

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 2, 2011, 5:00 PM House Hearing Room 1.

Executive session will be held: HB 38, HB 200, HB 340

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 3, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 437, HB 202

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 357, HB 467, HB 468

Executive session may be held on any matter referred to the committee.

HB 467 and HB 468 Working Session Only (NO PUBLIC TESTIMONY).

AMENDED

ELECTIONS

Tuesday, March 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 503, HB 283

Executive session will be held: HB 187, HB 54, HB 240, HJR 16, HB 95

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 628, HB 639, HB 511

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 458

Executive session will be held: HB 458

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 431, HB 641

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 300, HB 328, HB 334, HB 387

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 352

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 254, HB 255, HB 427

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 400, HB 145, HB 566, HB 188, HB 542, HB 498

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 3, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 305, HB 448
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Thursday, March 3, 2011, South Gallery upon morning adjournment.
Executive session will be held: HJR 17

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, March 2, 2011, 2:00 PM House Hearing Room 7.
Public hearing will be held: HB 555, HB 604
Executive session will be held: HB 411, HB 421
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, March 1, 2011, 5:00 PM.
Moreland Ridge Middle School, 900 SW Bishop Drive, Blue Springs 64015.
Public hearing will be held: HB 193
Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 2, 2011, 3:00 PM.
Mexico Chamber of Commerce, 100 West Jackson St, Mexico 65265.
Public hearing will be held: HB 193
Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.
Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.
Public hearing will be held: HB 193
Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 4, 2011, 2:00 PM.
St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.
Public hearing will be held: HB 193
Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 1, 2011, 2:00 PM House Hearing Room 6.
Public hearing will be held: HB 613
Executive session may be held on any matter referred to the committee.

TAX REFORM

Tuesday, March 1, 2011, 6:30 PM, 516 South Country Club, Jefferson City.
Dinner Presentation on Tax Issues.

TRANSPORTATION

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 394, HB 655, HB 450, HB 488, HB 489, HB 595

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 120, HB 462

Executive session will be held: HB 119

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 1, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HCR 33, HJR 29, HCR 35

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FIRST DAY, TUESDAY, MARCH 1, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 32 and HJR 33

HOUSE BILLS FOR SECOND READING

HB 694 through HB 708

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Nolte
- 2 HCS HB 136 - Day
- 3 HB 167 - Nolte
- 4 HCS HB 214 - Zerr
- 5 HCS HBs 276, 233 & 274, as amended - Franz
- 6 HCS HB 329 - Diehl
- 7 HCS HBs 116 & 316 - Flanigan
- 8 HCS HB 213 - Jones (89)

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

SENATE BILLS FOR SECOND READING

SB 187

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIRST DAY, TUESDAY, MARCH 1, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let the words of my mouth, and the meditation of my heart, be acceptable in your sight, O Lord, my strength and my Redeemer. (Psalm 19:14)

Our Father, Who art in heaven, we come to You conscious of our shortcomings and our faults, yet confident that You are with us and that with You sins are forgiven, discouragement gives way to encouragement, fear changes to faith, and a new glory enters human life.

Give us the courage of our convictions - the confidence to say yes to what is right, the courage to say no to what is wrong, and the wisdom and insight to know the difference. May this spirit enter the hearts of all our people. So shall we be children of You, serving You faithfully all our days. Let the words of our mouths, and the meditations of our hearts, be acceptable in Your sight, O God, our strength and our joy.

We remember the late Corporal Frank Woodruff Buckles, born near Bethany, Missouri, who passed away this weekend at the age of 110. He was the last living link to all who served in our armed forces during the First World War. May he and all veterans rest in peace. And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nathan McGhee and Lydia Harrison.

The Journal of the thirtieth day was approved as printed.

HOUSE RESOLUTION

Representative Sifton offered House Resolution No. 787.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 761 through House Resolution No. 786
House Resolution No. 788

HOUSE CONCURRENT RESOLUTION

Representative Parkinson, et al., offered House Concurrent Resolution No. 41.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 32 and **HJR 33** were read the second time.

SECOND READING OF HOUSE BILLS

HB 694 through **HB 708** were read the second time.

SECOND READING OF SENATE BILL

SB 187 was read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 276, 233 & 274, as amended, relating to unlawful picketing of a funeral, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HBs 276, 233 & 274, as amended**, was adopted.

On motion of Representative Franz, **HCS HBs 276, 233 & 274, as amended**, was ordered perfected and printed.

HCS HB 61, relating to state minimum wage, was taken up by Representative Nolte.

Representative May offered **House Amendment No. 1**.

Representative Cox raised a point of order that **House Amendment No. 1** is out of order pursuant to Rule 46(d).

The Chair ruled the point of order well taken.

Representative McNeil offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 61, Section 290.502, Page 1, Line 17, by inserting the following after all of said line:

“290.512. 1. [No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages is required to pay wages in excess of fifty percent of the minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the difference being made up by the employer] **An employer may not apply tips or gratuities bestowed on employees as a credit toward payment of the minimum hourly wage required by section 290.502.**

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by sections 290.500 to 290.530. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of sections 290.500

to 290.530. He shall also provide by regulation a method of determining those types of goods and services that are an incident of employment the receipt of which does not require any discretion on the part of the employee.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Oxford offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 61, Section 290.502, Page 1, Lines 14-17, by deleting all of said lines and inserting in lieu thereof the following:

“3. The minimum wage calculated under this section shall be equal to an hourly wage rate which on an annual basis based on forty hours per week, fifty-two weeks per year, is equivalent to one hundred and thirty percent of the federal poverty guidelines for a family of three, as updated annually in the Federal Register by the United States Department of Health and Human Services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Taylor	Walton Gray	Webb	Webber
Zimmerman				

NOES: 106

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater

Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Hughes	Meadows	Riddle	Schupp
Talboy				

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Nolte, **HCS HB 61** was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Fitzwater	Hampton
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Phillips	Pierson	Quinn	Rizzo
Rowland	Schieffer	Shively	Sifton	Silvey

Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	Zerr
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 006

Flanigan	Hughes	Meadows	Riddle	Schupp
Talboy				

On motion of Representative Nolte, **HCS HB 61** was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 76 - Fiscal Review (Fiscal Note)

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 241 - Retirement

COMMITTEE REPORTS

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 34, introduced by Representatives Nasheed, Jones (63), Curls, Pierson, Webb, Atkins, Hubbard, Montecillo, McCann Beatty, McGeoghegan, Colona, May, Carlson, Hodges, McDonald, Newman, Peters-Baker, Taylor, Brown (50), Talboy, Hummel, Lampe, Casey, McNary, Higdon, Lant, Reiboldt, Carter, Funderburk and McGhee, relating to the term limit reform act.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 709, introduced by Representatives Nichols, Taylor and Oxford, relating to elections.

HB 710, introduced by Representatives Nichols, Taylor, Ellinger and Atkins, relating to termination of community improvement districts.

HB 711, introduced by Representatives McDonald, Torpey, Brown (50), Kratky, Colona, Rizzo, Cierpiot, Curls, Hodges, Kander, Anders, Lasater, McManus, Molendorp, Talboy, Peters-Baker, Holsman, Nance, Grisamore, Cross, Hummel, Meadows, Fallert, Casey, McGeoghegan, Swearingen, Harris, Lauer and McNary, relating to the nonpayment of sewer services.

HB 712, introduced by Representatives Webb, Carter, Tilley, Smith (150), Jones (89), Silvey, Talboy, Riddle, Casey, Taylor, Allen, Holsman, McGhee, Nasheed, Montecillo and Smith (71), relating to the Missouri juneteenth heritage and jazz festival and memorial.

HB 713, introduced by Representatives Phillips, Scharnhorst, Rowland, Ruzicka and Denison, relating to safety belts.

HB 714, introduced by Representatives Cauthorn and Jones (89), relating to publication of the state manual.

HB 715, introduced by Representatives White, Schoeller, Davis, Reiboldt and Lichtenegger, relating to labor organizations.

HB 716, introduced by Representatives Wyatt, Holsman, McNeil, Colona, Brown (85) and Nolte, relating to renewable energy resources in state parks.

HB 717, introduced by Representative Zerr, relating to automated external defibrillators.

HB 718, introduced by Representative Marshall, relating to the uniform limited liability company act.

HB 719, introduced by Representatives Higdon, Solon, Allen, Kelly (24), Fuhr, Lauer, Torpey, Lant, Tilley, Silvey, Wieland, Klippenstein, Taylor, Peters-Baker, Jones (89), Richardson, Schad, Lichtenegger, Long, Scharnhorst, Colona, Conway (27), Wells, Koenig, Lair, Houghton, Dieckhaus, Johnson and Nolte, relating to liquor control.

HB 720, introduced by Representative Parkinson, relating to the transparency in private attorney contracts act.

HB 721, introduced by Representative Schneider, relating to foreclosure sales.

HB 722, introduced by Representative Schneider, relating to sewerage and water services.

WITHDRAWAL OF HOUSE BILLS

February 14, 2011

Speaker of the House Steven Tilley
State Capitol, Room 308A

Honorable Speaker,

I respectfully request that **House Bill No. 353** be withdrawn from the Insurance Policy Committee. The Committee on Fiscal Oversight recently discovered that this bill is a duplicate of an already existing piece of legislation that requires an insurance producer's license to be suspended, revoked, or denied issuance or renewal if the producer fails to pay personal property taxes, county real estate taxes, or income taxes. I appreciate your time and consideration.

Sincerely,

/s/ Zachary R. Wyatt
Representative
Missouri's 2nd House District

March 1, 2011

Mr. D. Adam Crumbliss
Missouri House of Representatives
Chief Clerk
Jefferson City, MO 65101

Dear Adam,

I wish to withdraw **House Bill No. 626**.

Thank you.

Sincerely,

/s/ Sheila Solon
Representative
District 55

The following member's presence was noted: Talboy.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 2, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, March 3, 2011, North Gallery upon morning adjournment.
Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources; Public Safety and Corrections; Health, Mental Health and Social Services.

CANCELLED

CHILDREN AND FAMILIES

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 565, HB 483
Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 2, 2011, 5:00 PM House Hearing Room 1.
Executive Session will be held: HB 38, HB 200, HB 340
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 544, HB 337, HB 317, HB 93

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 3, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 437, HB 202

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 628, HB 639, HB 511

FISCAL REVIEW

Wednesday, March 2, 2011, 4:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

GENERAL LAWS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 2.

Public hearing will be held: HB 258, HB 546

Executive session may be held on any matter referred to the committee.

Please note the addition of HB 546.

AMENDED

HEALTH CARE POLICY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 300, HB 328, HB 334, HB 387

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, March 3, 2011, House Hearing Room 1 upon morning adjournment.

Executive session will be held: HB 475

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 2, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 22

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 254, HB 255, HB 427

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 400, HB 145, HB 566, HB 188, HB 542, HB 498

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 2, 2011, House Hearing Room 5.

12:00 PM, or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 591, HB 347

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 3, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 305, HB 448

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Thursday, March 3, 2011, South Gallery upon morning adjournment.

Executive session will be held: HJR 17

SMALL BUSINESS

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 386

Executive session will be held: HB 68, HB 86, HB 211

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, March 2, 2011, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 555, HB 604

Executive session will be held: HB 411, HB 421

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 2, 2011, 3:00 PM.

Mexico Chamber of Commerce, 100 West Jackson St., Mexico 65265.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.

Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 4, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional district boundaries.

TOURISM AND NATURAL RESOURCES

Thursday, March 3, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 578, HB 545, HJR 15

Executive session will be held: HB 98

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 416, HB 324, HB 354, HB 484, HB 548

Executive session will be held: HCR 23

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 26, HB 144, HB 549

Executive session will be held: HB 222, HB 408, HB 506

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SECOND DAY, WEDNESDAY, MARCH 2, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 34

HOUSE BILLS FOR SECOND READING

HB 709 through HB 722

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 136 - Day
- 2 HB 167 - Nolte
- 3 HCS HB 214 - Zerr
- 4 HCS HB 329 - Diehl
- 5 HCS HBs 116 & 316 - Flanigan
- 6 HCS HB 213 - Jones (89)
- 7 HCS HB 108 - Smith (150)
- 8 HCS HBs 112 & 285 - Day
- 9 HCS HB 174 - Thomson

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE BILLS FOR PERFECTION - CONSENT

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

HCS HB 76, (Fiscal Review 3-1-11) - Nolte

HOUSE CONCURRENT RESOLUTIONS

HCR 7, (2-23-11, Pages 436-437) - Walton Gray

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SECOND DAY, WEDNESDAY, MARCH 2, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

This is the day which the Lord hath made; we will rejoice and be glad in it. (Psalm 118:24)

Our Heavenly Father, we bow before our altar of prayer with hearts overflowing with gratitude because You have been so wonderfully good to us. We are what we are, we have what we have, not because we deserve it, not because we have earned it, but because Your goodness has attended us.

Your strength has made us strong, Your love has undergirded us, and Your presence has blessed us all our days. Help us to be worthy of Your gifts and to use each day for Your glory, for the good of our state and for the welfare of our citizens. Thus, may every day be a glorious adventure in great living. And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Maddie Seiler and Haley Tyrrell.

The Journal of the thirty-first day was approved as printed.

SPECIAL RECOGNITION

Eric Czeriewski was introduced by Representatives Hoskins and Korman and recognized as the 2010 Harlon Hill Trophy recipient and NCAA Division II College Football Player of the Year.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 789 through House Resolution No. 822

HOUSE CONCURRENT RESOLUTION

Representative Funderburk, et al., offered House Concurrent Resolution No. 42.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 34 was read the second time.

SECOND READING OF HOUSE BILLS

HB 709 through **HB 722** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 116 & 316, relating to the collection of state moneys, was taken up by Representative Flanigan.

Representative Bahr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 116 & 316, Section 32.088, Page 5, Lines 3 and 13, by deleting the words, "**chapter 260**" and inserting in lieu thereof the words, "**sections 260.262 or 260.273**"; and

Further amend said bill, Section 32.383, Page 7, Line 49, by inserting after all of said section the following:

"32.385.1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official" means a unit or official of the federal government charged with the collection of non-tax liabilities payable to the federal government under 31 U.S.C. section 3716.

(2) "State agency" means any department, division, board, commission, office, or other agency of the state of Missouri,

(3) "Non-tax liability due the State" means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other non-tax assessments imposed by or payable to any state agency that is finally determined to be due and owing.

(4) "Person" means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing.

(5) "Refund" means an amount described as a refund of tax under the provisions of the State tax law that authorized its payment.

(6) "Vendor payment" means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the State; but shall not include a person's salary, wages, or pension.

(7) "Offset agreement" is the agreement authorized by this section.

3. Under the offset agreement, a federal official may

(1) Certify to the state of Missouri the existence of a person's delinquent non-tax liability owed by the person to the federal government; and

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled.

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and non-tax debts owed to the State; and

(b) Provide for the payment of the amount withheld to the state.

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:
 - (1) the full name of the person and any other names known to be used by the person;
 - (2) the social security number or federal tax identification number;
 - (3) the amount of the non-tax liability; and
 - (4) a statement that the debt is past due and legally enforceable in the amount certified.
5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall
 - (1) withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;
 - (2) in accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;
 - (3) pay to the federal official the lesser of:
 - (a) the entire refund or vendor payment; or
 - (b) the amount certified; and
 - (4) pay any refund or vendor payment in excess of the certified amount to the person.
6. Under the agreement, the director of revenue shall
 - (1) certify to a federal official the existence of a person's delinquent tax or non-tax liability due the state owed by the person to any state agency;
 - (2) request that the federal official withhold any eligible vendor payment to which the person is entitled; and
 - (3) provide for the payment of the amount withheld to the state.
7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:
 - (1) the full name and address of the person and any other names known to be used by the person;
 - (2) the social security number or tax identification number;
 - (3) the amount of the tax or non-tax liability;
 - (4) a statement that the debt is past due and legally enforceable in the amount certified; and
 - (5) any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.
8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt for debts due the other state that extends a like comity to this state.”; and

Further amend said bill, Section 32.410, Page 7, Line 1, by deleting the number, “32.470” and inserting in lieu thereof the number, “32.460”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 1** was adopted.

Representative McNeil offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

Representative Nance offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 116 & 316, Section 168.071, Page 17, Line 114, by inserting after all of said section the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

3. **The governing body of each fourth class city or village with over one hundred thousand dollars in traffic revenues in the previous year in this state shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general operating revenue for the year, in such summary form as the state courts administrator's office shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. Within thirty days of receipt of payment of the excess revenues, the director of the department of revenue shall disburse the excess to the proper schools, as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.]

4. **The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective**

date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. In the event a city, town, or village fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount of ten percent of excess revenues required to be submitted that were not submitted, with such penalty to be distributed to the local schools where the moving violation occurred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Flanigan, **HCS HBs 116 & 316, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HBs 116 & 316, as amended**, was ordered perfected and printed.

HCS HB 136, relating to military spouses, was taken up by Representative Day.

Representative Day offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 136, Page 13, Section 324.008, Line 45, by striking the following from said line “commissioner of administration” and inserting in lieu thereof the following:

“**the appropriate board or agency**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 1** was adopted.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Day, **HCS HB 136, as amended**, was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman

Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50	Hughes	Swearingen	Webber	Zimmerman
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On motion of Representative Day, **HCS HB 136, as amended**, was ordered perfected and printed.

Speaker Tilley resumed the Chair.

HCS HB 214, relating to human trafficking, was taken up by Representative Zerr.

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 214, Page 3, Section 566.203, Line 7, by removing all of said line from the bill; and

Further amend said bill, Page 6, Section 566.223, Lines 5-8, by removing all of said lines and inserting in lieu thereof the following:

“2. It is an affirmative defense for the offense of prostitution under section 567.020 that the defendant engaged in the conduct charged to constitute an offense because he or she was coerced to do so by the use of, or threatened use of, unlawful physical force upon himself or herself or a third person, which force or threatened force a person of reasonable firmness in his or her situation would have been unable to resist.”; and

Further amend said page and section, Line 19, by removing the phrase **“or a prosecuting attorney’s or circuit attorney’s office”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 214, Page 4, Section 566.206, Lines 12 and 13, by deleting all of said lines and inserting in lieu thereof the following:

"3. [The crime of] **Except as provided in subsection 4 of this section**, trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a [class B] felony **punishable by imprisonment for a term of years not less than five years and not more than twenty years. If death results from a violation of this section, or if the**"; and

Further amend said bill, Page 4, Section 566.206, Line 17, by inserting after all of said line the following:

"4. If death results from a violation of this section, or if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a class B felony, or an attempt to kill, it shall be punishable by imprisonment for a term of years not less than five years or life."; and

Further amend said bill, Page 4, Section 566.209, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"2. [The crime of] **Except as provided in subsection 3 of this section**, trafficking for the purposes of sexual exploitation is a [class B] felony **punishable by imprisonment for a term of years not less than five years and not more than twenty years."**; and

Further amend said bill, Page 4, Section 566.209, Line 11, by inserting after all of said line the following:

"3. If death results from a violation of this section, or if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a class B felony, or an attempt to kill, it shall be punishable by imprisonment for a term of years not less than five years or life."; and

Further amend said bill, Page 5, Section 566.212, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"3. [The crime of] Sexual trafficking of a child is a [class A] felony **punishable by imprisonment for a term of years not less than ten years or life** if the child is under the age of eighteen. **If a violation of this section was effected by force, abduction, or coercion,"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kander offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 214, Page 1, Line 5, by inserting after the phrase "**twenty years**" the phrase "**and a fine not to exceed two hundred fifty thousand dollars**"; and

Further amend said page, Line 12, by inserting after the word "**life**" the phrase "**and a fine not to exceed two hundred fifty thousand dollars**"; and

Further amend said page, Line 17, by inserting after the phrase “**twenty years**” the phrase “**and a fine not to exceed two hundred fifty thousand dollars**”; and

Further amend said page, Line 23, by inserting after the word “**life**” the phrase “**and a fine not to exceed two hundred fifty thousand dollars**”; and

Further amend said page, Line 27, by inserting after the word “**life**” the phrase “**and a fine not to exceed two hundred fifty thousand dollars**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kander, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Fuhr, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Zerr, **HCS HB 214, as amended**, was adopted.

On motion of Representative Zerr, **HCS HB 214, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 76** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 187** and **HB 54**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 723, introduced by Representatives Kratky, Hummel, Colona, McDonald, Smith (71), Spreng and May, relating to vacancies in the general assembly.

HB 724, introduced by Representatives Kratky, Hummel, Colona, Newman, McManus, Oxford, Atkins, Pace, Montecillo, Carter, Nichols, Carlson, Kirkton, McDonald and Spreng, relating to unlawful use of weapons.

HB 725, introduced by Representatives Kratky, Hummel, Newman, McManus, Oxford, Atkins, Pace, Carter, Montecillo, Nichols, Kirkton, McDonald and Spreng, relating to the unlawful use of a weapon.

HB 726, introduced by Representatives Kratky, Walton Gray, Hummel, Colona, Pace, Meadows, Fallert, Carter, Nichols, Carlson, Kirkton, McNeil, McDonald, Smith (71), Spreng and May, relating to a tax credit for certain small businesses.

HB 727, introduced by Representatives Kratky, McDonald, Walton Gray, Hummel, Colona, Newman, Oxford, Atkins, Pace, Montecillo, Carter, Nichols, Carlson, Kirkton and Spreng, relating to unlawful use of a weapon.

HB 728, introduced by Representatives McManus, Newman, McDonald and Hodges, relating to product safety.

HB 729, introduced by Representatives McManus, McDonald and Hodges, relating to the purchase of catalytic converters.

HB 730, introduced by Representatives McManus and Holsman, relating to emergency vehicles.

HB 731, introduced by Representatives Parkinson, Schad, Allen, Hinson and Scharnhorst, relating to possible deportation of aliens who are listed in the state sexual offender registry.

HB 732, introduced by Representative Brandom, relating to licensure of certain professions.

HB 733, introduced by Representatives Walton Gray and Ellinger, relating to the duties of the board of probation and parole.

HB 734, introduced by Representatives Brandom, Faith, Korman, Lichtenegger, Pollock, Fitzwater, Wieland, Wright, McGhee and McCaherty, relating to donated food tax credits.

HB 735, introduced by Representatives Hough, Hinson, Jones (117), Burlison, Sater, Lichtenegger, Entlicher, Klippenstein, Denison, Fraker, McGeoghegan and Scharnhorst, relating to road use.

HB 736, introduced by Representatives McCaherty, Nolte, Long, Berry, McNary, Wieland, Brown (85), Kelley (126), Schupp, Cross, Curtman, Frederick, Parkinson, Lant and Peters-Baker, relating to forms provided by the department of revenue.

HB 737, introduced by Representatives Redmon and Shumake, relating to tangible personal property.

HB 738, introduced by Representatives Nasheed, Hummel, Shively, McGhee and Hubbard, relating to student study plans.

HB 739, introduced by Representatives Nance, Fisher and Lampe, relating to the Amber Alert and Silver Alert system.

HB 740, introduced by Representatives Funderburk, Nolte, Franz and Scharnhorst, relating to sales tax exemptions for various industries and political subdivisions.

HB 741, introduced by Representative Bernskoetter, relating to financing for energy efficiency improvements.

HB 742, introduced by Representatives Wyatt and Guernsey, relating to a county drinking water supply lake authority.

HB 743, introduced by Representatives Lauer, Higdon, Schad, Hinson, Cierpiot, Peters-Baker, Jones (117), Brandom, Cross, Conway (14), Haefner, Lasater, McGeoghegan, McCann Beatty, Cookson, McDonald, Phillips, Grisamore and Keeney, relating to sexual contact with a student.

HB 744, introduced by Representatives Brown (85), Hampton, Koenig, Fuhr, Allen, Jones (89), Leara, Reiboldt, Lant, Diehl, Conway (14), Stream, Wieland, Long and Kelley (126), relating to property assessments.

HB 745, introduced by Representatives Brown (85), Lichtenegger, Entlicher, Haefner, Scharnhorst, Hinson, Leara, Stream, Wieland and Long, relating to the adjusted gross receipts tax on gambling games to be used for public safety.

HB 746, introduced by Representatives Brown (85), Conway (14), Stream, Wieland and Long, relating to designation of tax refunds to the department of agriculture for puppy protection.

HB 747, introduced by Representatives Pollock, Denison, Wallingford, Hough, Dugger, Wyatt, Franz, Burlison, Schoeller, Ruzicka, Schad, Crawford, Davis, Reiboldt, White, Colona, Webb, Talboy and Wells, relating to renewable energy portfolio requirements for electric utilities.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 38**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 77**, entitled:

An act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to directional signs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 83**, entitled:

An act to repeal sections 408.140, 408.233, and 408.300, RSMo, and to enact in lieu thereof four new sections relating to the sale of deficiency waiver addendums and other similar products in certain loan transactions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 101**, entitled:

An act to amend chapter 407, RSMo, by adding thereto one new section relating to home exterior contractors, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 166**, entitled:

An act to repeal section 381.115, RSMo, and to enact in lieu thereof one new section relating to the licensure of title agencies and title agents.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 180**, entitled:

An act to amend chapter 9, RSMo, by adding thereto two new sections relating to bicycling state holidays.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Brown (50).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 3, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, March 3, 2011, North Gallery upon morning adjournment.
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 7, 2011, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 406, HB 207
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 3, 2011, 8:30 AM House Hearing Room 4.
Public hearing will be held: HB 437, HB 202, HJR 11
Executive session will be held: HB 464
Executive session may be held on any matter referred to the committee.
Additional testimony provided on HJR 11.
AMENDED

GENERAL LAWS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 2.
Public hearing will be held: HB 258, HB 546
Executive session may be held on any matter referred to the committee.
Please note the addition of HB 546.
AMENDED

HEALTH INSURANCE

Thursday, March 3, 2011, South Gallery upon morning adjournment.
Executive session will be held: HB 475
Executive session may be held on any matter referred to the committee.
Upon morning adjournment - location changed to Side South Gallery.
CORRECTED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
1st Quarter Meeting.

RETIREMENT

Thursday, March 3, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 305, HB 448
Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, March 3, 2011, 9:30 AM House Hearing Room 2.
Executive Session will be held: HB 229, HB 282, HCS HB 315, HB 358, HB 360, HCS HB 459, HCS HB 465, HCS HB 89, HCS HB 131, HB 339, HB 434, HCS HB 266, HCR 11, HCR 33
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Thursday, March 3, 2011, South Gallery upon morning adjournment.
Executive session will be held: HJR 17

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.
Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.
Public hearing will be held: HB 193
Public Testimony on establishing new Congressional District boundaries.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 4, 2011, 2:00 PM.
St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.
Public hearing will be held: HB 193
Public Testimony on establishing new Congressional district boundaries.

TOURISM AND NATURAL RESOURCES

Thursday, March 3, 2011, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 578, HB 545, HJR 15
Executive session will be held: HB 98
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 291
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 416, HB 324, HB 354, HB 484, HB 548
Executive session will be held: HCR 23
Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 7, 2011, 5:00 PM House Hearing Room 5.
Presentations on Urban Education.

WAYS AND MEANS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 26, HB 144, HB 549

Executive session will be held: HB 222, HB 408, HB 506

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 7, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 397, HB 238

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-THIRD DAY, THURSDAY, MARCH 3, 2011

HOUSE BILLS FOR SECOND READING

HB 723 through HB 747

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

HOUSE BILLS FOR PERFECTION

- 1 HB 167 - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HB 108 - Smith (150)
- 5 HCS HBs 112 & 285 - Day
- 6 HCS HB 174 - Thomson

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE BILLS FOR PERFECTION - CONSENT

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger

- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 76 - Nolte
- 2 HCS HBs 276, 233 & 274 - Franz
- 3 HCS HB 61 - Nolte
- 4 HCS HBs 116 & 316, E.C. - Flanigan
- 5 HCS HB 136 - Day
- 6 HCS HB 214 - Zerr

SENATE BILLS FOR SECOND READING

- 1 SB 38
- 2 SB 77
- 3 SB 83
- 4 SB 101
- 5 SCS SB 166
- 6 SB 180

HOUSE CONCURRENT RESOLUTIONS

- HCR 7, (2-23-11, Pages 436-437) - Walton Gray

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-THIRD DAY, THURSDAY, MARCH 3, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Where two or three are gathered together in My name, there am I in the midst of them. (Matthew 18:20)

Our Heavenly Father, Who has given Your word that where two or three are gathered together in Your name, there You are in the midst of them - make us aware of Your presence this moment as we assemble in the House in Your name, invoking Your blessing upon us and praying that You would make us adequate for the tasks of this day, give us wisdom for the decisions we have to make and courage always to do what is right and just. And the House says, "Amen"!

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Claire Thomas.

The Journal of the thirty-second day was approved as printed.

HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 900.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 823 through House Resolution No. 899
House Resolution No. 901

SECOND READING OF HOUSE BILLS

HB 723 through **HB 747** were read the second time.

SECOND READING OF SENATE BILLS

SB 38, **SB 77**, **SB 83**, **SB 101**, **SCS SB 166** and **SB 180** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 108, relating to political action committees, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 108** was adopted.

On motion of Representative Smith (150), **HCS HB 108** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HCS HB 76, relating to a corporate franchise tax, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCS HB 76** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 005

Hughes	Jones 117	McGhee	Riddle	Zimmerman
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Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 276, 233 & 274, relating to unlawful picketing of a funeral, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HBs 276, 233 & 274** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 015

Atkins	Carlson	Carter	Ellinger	Jones 63
Kander	May	Montecillo	Newman	Oxford
Smith 71	Swearingen	Talboy	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Hubbard	Hughes	Jones 117	Lichtenegger	Riddle
Zimmerman				

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley assumed the Chair.

HCS HBs 116 & 316, relating to collection of state moneys, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HBs 116 & 316** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Casey	Hubbard	Hughes	Jones 117
Lichtenegger	Nasheed	Riddle	Zimmerman	

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Hubbard	Hughes	Jones 117	Lichtenegger
Nasheed	Riddle	Zimmerman		

HCS HB 136, relating to military spouses, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 136** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curtman	Hubbard	Hughes	Jones 117
Lichtenegger	Nasheed	Riddle	Zimmerman	

Speaker Tilley declared the bill passed.

HCS HB 214, relating to human trafficking, was taken up by Representative Zerr.

On motion of Representative Zerr, **HCS HB 214** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Hubbard	Hughes	Jones 117	Lichtenegger
Nasheed	Riddle	Zimmerman		

Speaker Tilley declared the bill passed.

HCS HB 61, relating to state minimum wage, was taken up by Representative Nolte.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Higdon	Hubbard	Hughes	Jones 117
Leara	Lichtenegger	McCann Beatty	Nasheed	Riddle
Zimmerman				

On motion of Representative Nolte, **HCS HB 61** was read the third time and passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Loehner	Long
Marshall	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 060

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Fitzwater	Hampton	Harris
Hodges	Holsman	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCaherty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Phillips	Pierson
Quinn	Rizzo	Rowland	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Higdon	Hubbard	Hughes	Jones 117
Leara	Lichtenegger	McCann Beatty	Nasheed	Riddle
Zimmerman				

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 900 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 32** - Workforce Development and Workplace Safety
- HCR 34** - Rural Community Development
- HCR 39** - Tourism and Natural Resources
- HCR 42** - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 26** - General Laws
- HJR 31** - Judiciary
- HJR 32** - General Laws
- HJR 33** - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 39** - Elections
- HB 51** - Crime Prevention and Public Safety
- HB 63** - Small Business
- HB 72** - Elections
- HB 172** - Judiciary
- HB 293** - Professional Registration and Licensing
- HB 398** - Judiciary
- HB 399** - Judiciary
- HB 493** - Downsizing State Government
- HB 499** - Professional Registration and Licensing
- HB 523** - Insurance Policy
- HB 534** - Local Government
- HB 547** - Health Insurance
- HB 551** - General Laws
- HB 567** - Judiciary
- HB 568** - Professional Registration and Licensing
- HB 588** - Elementary and Secondary Education
- HB 600** - Crime Prevention and Public Safety
- HB 605** - Transportation
- HB 609** - Health Insurance
- HB 630** - Special Standing Committee on Disability Services
- HB 631** - Special Standing Committee on Disability Services
- HB 633** - Agriculture Policy
- HB 634** - Judiciary
- HB 635** - Crime Prevention and Public Safety

HB 638 - General Laws
HB 643 - Urban Issues
HB 644 - Small Business
HB 649 - Economic Development
HB 653 - Agriculture Policy
HB 657 - Downsizing State Government
HB 658 - Crime Prevention and Public Safety
HB 659 - Transportation Funding and Public Institutions
HB 660 - Urban Issues
HB 661 - Financial Institutions
HB 662 - Transportation Funding and Public Institutions
HB 664 - Retirement
HB 665 - Retirement
HB 666 - Health Insurance
HB 667 - Urban Issues
HB 670 - Economic Development
HB 673 - Veterans
HB 674 - Economic Development
HB 675 - Local Government
HB 676 - Health Insurance
HB 677 - Professional Registration and Licensing
HB 678 - Transportation Funding and Public Institutions
HB 679 - Elementary and Secondary Education
HB 682 - Higher Education
HB 683 - Children and Families
HB 684 - Transportation
HB 687 - Insurance Policy
HB 689 - Transportation
HB 696 - Insurance Policy
HB 697 - Downsizing State Government
HB 698 - Crime Prevention and Public Safety
HB 699 - Elections
HB 700 - Crime Prevention and Public Safety
HB 701 - Insurance Policy
HB 702 - Workforce Development and Workplace Safety
HB 708 - Judiciary
HB 710 - Local Government
HB 711 - Utilities
HB 713 - Transportation
HB 721 - Financial Institutions
HB 722 - Utilities
HB 731 - International Trade and Job Creation
HB 732 - Professional Registration and Licensing
HB 734 - Economic Development
HB 737 - Local Government
HB 738 - Urban Issues
HB 740 - Tax Reform

HB 744 - Ways and Means

HB 745 - Ways and Means

HB 746 - Agriculture Policy

HB 747 - Special Standing Committee on Renewable Energy

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 2 - Elections

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 3 - Elections

SCS SB 19 - International Trade and Job Creation

SCS SB 108 - General Laws

SB 187 - Agri-Business

COMMITTEE REPORTS

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 38**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 294**, **HB 123**, **HB 125**, **HB 113**, **HB 271** and **HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 223** and **HB 231**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HJR 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 98**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 655**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 411** and **HB 421**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 229**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 266**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 282**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 360**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 434**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 459**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 465**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 35, introduced by Representative Schad, relating to a member of the general assembly removing himself or herself from the state for the purpose of avoiding any official duty or vote.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 748, introduced by Representatives Cross, Schoeller, Rowland, Jones (89), McCaherty, Scharnhorst, McGhee, McNary, Brown (116), Conway (14), Berry, Nance, Thomson, Pollock, Parkinson, Long, Davis, Hampton, Brattin, Schneider, Silvey, Korman, Diehl, Fitzwater, Gatschenberger, Schad, Sater, Johnson, Fraker, Cierpiot, Jones (117), Houghton and Franklin, relating to the crime of absconding without paying rent.

HB 749, introduced by Representatives Lasater, Schieber, Fitzwater, Lant, Faith, Bahr, Rizzo, McGeoghegan, Montecillo, Hough, Berry, Fraker, Cookson, Walton Gray, Oxford, Schoeller, Leach, Lauer, Anders, Grisamore, Hampton, Torpey, Riddle, Jones (89), Kelley (126), Jones (117), Brown (116), Curls, Kelly (24), Johnson, Conway (14), Brandom, Haefner, Hinson and Hubbard, relating to child abuse prevention.

HB 750, introduced by Representatives Hinson, Fallert, Nance, Johnson, Black and Lasater, relating to wireless enhanced 911 service.

HB 751, introduced by Representative Kratky, relating to the clinical laboratory science practice act.

HB 752, introduced by Representatives Torpey, Lampe, Holsman, Thomson and Dieckhaus, relating to compulsory school attendance.

HB 753, introduced by Representatives Wallingford, Wright, Lichtenegger, Brandom and Hodges, to authorize the board of regents of Southeast Missouri State University to convey property in the City of Cape Girardeau.

HB 754, introduced by Representatives Jones (63), Nasheed, Talboy, Colona, Smith (71), Taylor, McCann Beatty, Pierson, Pace, Carter, Brown (50), Newman, Kirkton, McNeil, Swearingen, McGeoghegan, Anders, Harris, Shively, Hodges, McManus, Kratky, Swinger, Aull, Conway (27), Meadows, Fallert, Hummel, Rizzo, Schupp, Carlson, Black, Spreng, Oxford, Atkins, Montecillo, Hubbard, Nichols, McDonald, Webber, Quinn, Peters-Baker, Ellinger, Schieffer and Sifton, relating to the designation of lupus awareness month.

HB 755, introduced by Representatives Leach, Schoeller, Riddle, Jones (89), Diehl, Smith (150), Keeney, Scharnhorst, Brattin, Lichtenegger, Cierpiot, Conway (14), Kelley (126), Stream, Hampton, Franklin, Fitzwater, Faith, Solon, Haefner, Allen, Lasater, Bahr, Fraker, Wyatt, Brown (85), Lant, Entlicher, Zerr, Crawford, Redmon, Reiboldt, Wieland, Frederick, McCaherty, Lair, Dieckhaus, Long, Berry, Schieber, Barnes, Black, Meadows, Fallert, McGeoghegan, Casey, Quinn, Harris, Cookson, Marshall and Largent, relating to life sciences.

HB 756, introduced by Representative Grisamore, relating to school days missed due to inclement weather.

HB 757, introduced by Representative Fitzwater, to authorize the conveyance of state property owned by the state to the City of Farmington.

HB 758, introduced by Representative Fitzwater, to authorize the conveyance of state properties in St. Francois County.

HB 759, introduced by Representative Dieckhaus, relating to annexation.

HB 760, introduced by Representatives Johnson, Brattin, Schieber, Wallingford, Cross, Conway (14), Kelley (126), Jones (117), Redmon, Higdon, Houghton, Klippenstein, Elmer, Hinson, Torpey, Lant, Reiboldt, Brown (85), Entlicher, Lichtenegger, Jones (89), Lasater, Hoskins, Franklin, Berry, Zerr, Hampton, Koenig, Richardson, Asbury, Meadows, Nance, Gosen and Parkinson, relating to allowing full-time fire investigators to carry concealed weapons.

HB 761, introduced by Representatives Denison, May, Pollock, Fisher and Wells, relating to water and sewer services for rental property.

HB 762, introduced by Representative Schad, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

HB 763, introduced by Representatives Stream, Scharnhorst, Diehl, Kirkton, Haefner, Fuhr, Brown (85) and McNeil, relating to school enrollment options for students from unaccredited districts.

HB 764, introduced by Representatives Webb, Carter, Dieckhaus, May, Montecillo, Pace, Parkinson, Jones (89), Curls, Riddle, Hampton, Brandom, Pierson, Hubbard and Denison, relating to student participation in extracurricular activities.

HB 765, introduced by Representative Aull, relating to the school calendar.

HB 766, introduced by Representative Aull, relating to summer school reimbursement.

HB 767, introduced by Representatives Bahr, Kelley (126), Gatschenberger, Kelly (24), Lasater, Pace and McGeoghegan, relating to offsets from state income tax refunds.

HB 768, introduced by Representatives Bahr, Curtman and Wells, relating to the application of foreign law to contracts.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 133**, entitled:

An act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 243**, entitled:

An act to repeal section 177.088, RSMo, and to enact in lieu thereof two new sections relating to the utilization of resources and services.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILLS

March 2, 2011

The Honorable Steven Tilley
Speaker of the House
Room 308, Capitol Building
Jefferson City, MO 65101

Dear Speaker Tilley:

This letter is to respectfully request that **House Bill No. 507**, dealing with health insurance coverage for licensed athletic trainers, be withdrawn.

Thank you.

Sincerely,

/s/ Chris Carter
Representative
61st District

March 2, 2011

The Honorable Steven Tilley
Speaker of the House
Room 308, Capitol Building
Jefferson City, MO 65101

Dear Speaker Tilley:

This letter is to respectfully request that **House Bill No. 508**, dealing with caseload standards for certain state agencies, be withdrawn.

Thank you.

Sincerely,

/s/ Chris Carter
Representative
61st District

The following member's presence was noted: Riddle.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, March 7, 2011.

COMMITTEE MEETINGS

BUDGET

Monday, March 07, 2011, 12:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Overview of HCS House Bills 1 through 13.

BUDGET

Tuesday, March 08, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Overview of HCS House Bills 1 through 13.

BUDGET

Wednesday, March 09, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Overview of HCS House Bills 1 through 13.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 07, 2011, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 600, HB 406
Executive session may be held on any matter referred to the committee.
House Bill 406 distributed with original 3/7/11 notice.
AMENDED

ELECTIONS

Tuesday, March 08, 2011, 8:15 AM House Hearing Room 5.
Public hearing will be held: SJR 2, SB 3, HB 478, HB 629, HB 521, HB 121
Executive session will be held: HB 503
Executive session may be held on any matter referred to the committee.
AMENDED

GENERAL LAWS

Monday, March 07, 2011, 2:30 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 09, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 197, HB 392, HB 580, HB 563
Executive session will be held: HB 110
Executive session may be held on any matter referred to the committee.
Bills to be heard in the order shown.

INSURANCE POLICY

Monday, March 07, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 531

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Monday, March 07, 2011, House Hearing Room 4 upon afternoon adjournment.

Public hearing will be held: HB 731

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1st Quarter Meeting.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 07, 2011, 10:00 AM House Hearing Room 7.

Public hearing will be held: HB 513, HB 556, HB 560, HB 648

Executive session will be held: HB 555, HB 604

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 04, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional district boundaries.

TRANSPORTATION

Tuesday, March 08, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 291

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 07, 2011, 5:00 PM House Hearing Room 5.

Presentations on Urban Education.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 07, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 397, HB 238

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FOURTH DAY, MONDAY, MARCH 7, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 35

HOUSE BILLS FOR SECOND READING

HB 748 through HB 768

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

HOUSE BILLS FOR PERFECTION

- 1 HB 167 - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HBs 112 & 285 - Day
- 5 HCS HB 174 - Thomson
- 6 HCS HB 131 - Cox
- 7 HCS HB 266 - Smith (150)
- 8 HB 339 - Pollock
- 9 HB 434 - Nolte

HOUSE BILLS FOR PERFECTION - CONSENT

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka

- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

HCS HB 108 - Smith (150)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 133
- 2 SB 243

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FOURTH DAY, MONDAY, MARCH 7, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Mike Warman, StoneBridge Community Church, O'Fallon, MO.

It's a great honor for me to stand before you ladies and gentlemen this afternoon. I'd like to thank Representative Chuck Gatschenberger for inviting me today.

Two weeks ago as I was leading our people through a study in the book of Jonah, I noted God's rescuing of a great nation. It was through a simple message brought by a simple man. This message so impacted the king that he took the necessary steps to call on God and thus averted disaster for his people. The king cared for his people and his country, and I believe the same can be said of you gathered here.

I have a message from God for you today. It's simple and comes from His Word. You are loved, and you are valued for who you are, not for what you do.

Having said this though, on behalf of a church in Dardenne Prairie, Missouri, I'd like to say thank you for what you do. What happens in this hall matters greatly to those of us outside of it. Now if you'd allow me I'd like to pray for you.

Our Father, Your Word tells us to pray for kings and those in authority, that we might live quiet and peaceful lives in all godliness and holiness. We live in a time of tension and unrest, and so for the men and women gathered here I pray for You to lead them that it might go well for all of us.

I ask You by the power of Your Holy Spirit to help them work together. I pray that there may be unity in this place so that there might be harmony and peace outside of it.

I pray that You give them the wisdom needed to make good decisions. We sometimes fail to see how common sense can solve complex situations. I pray that You would give them the courage of conviction. Allow them to have honest and open dialogue over principles and not be caught up in the mindless debate over preferences.

King Solomon said a while back it's to the glory of kings to search out a matter, so Lord I pray You'd give these leaders wisdom to be thorough and fair in their deliberations. Father, I ask You to keep them from that which is evil and destructive. As they work to protect and strengthen our families, I ask that You might protect theirs at home.

Finally, Father, I would ask You to give them Your joy as they serve. Life is challenging enough without the enormous load these men and women carry. So I pray they would enjoy the work they're about to do. Father, may they encourage one another often. I ask that You would help them to always remember that, in spite of the politics, they are real people.

May You multiply the work of their hands and its positive impact on individuals and families of this great state of Missouri. Give us Your peace and help us to know the love of Jesus Christ.

In His Name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 902 through House Resolution No. 912

HOUSE CONCURRENT RESOLUTION

Representative Smith (71), et al., offered House Concurrent Resolution No. 43.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 35 was read the second time.

SECOND READING OF HOUSE BILLS

HB 748 through **HB 768** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 133 and **SB 243** were read the second time.

Representative Curls assumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 108, relating to political action committees, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 108** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney

Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Faith	Hubbard	Meadows	Quinn
Webb	Zimmerman			

Representative Curls declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 174, relating to higher education governing boards, was taken up by Representative Thomson.

Representative Still offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 174, Page 1, Section 172.030, Line 1, by inserting immediately after the numerals “172.030.” the following:

“1.”; and

Further amend said bill, page and section, Line 7, by adding after all of said line the following:

“2. Notwithstanding any other law, the ninth member of the board shall be a student curator who shall have the right to vote on any matter before the board, including the hiring or firing of the president of the University of Missouri system, the chancellors of each of the university campuses, the general counsel of the university, the secretary of the board of curators, and all other general officers of the university. However, the student curator shall be excluded from all other decisions regarding hiring or firing of faculty or staff. The student curator may be from any congressional district, and his or her district may be the same as one member of the board. The first student curator shall be appointed in January 2012 and shall serve a two-year term provided the person maintains the status of a full-time student. The student curator appointed under this subsection shall replace the nonvoting student representative appointed under section 172.035; however, such

student curator shall be appointed in the manner prescribed in section 172.035, and he or she shall meet all other requirements of section 172.035.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Curls	Curtman
Ellinger	Fallert	Grisamore	Harris	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Korman	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber	Wyatt	Mr Speaker		

NOES: 099

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 011

Diehl	Faith	Franz	Funderburk	Hubbard
Meadows	Nasheed	Quinn	Schad	Webb
Zimmerman				

Representative Schupp offered **House Amendment No. 2.**

Representative Richardson raised a point of order that **House Amendment No. 2** is dilatory.

Representative Curls requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Thomson, **HCS HB 174** was adopted.

On motion of Representative Thomson, **HCS HB 174** was ordered perfected and printed.

Speaker Tilley resumed the Chair.

HCS HBs 112 & 285, relating to tax classification of sawmills, was taken up by Representative Day.

Representative Ellinger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 112 & 285, Page 2, Section 137.016, Line 80, by inserting after all of said line the following:

“7. No property tax classification changes resulting from this section shall have the effect of eliminating employer obligations under Chapter 287.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellinger, **House Amendment No. 1** was adopted.

Representative Aull offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 112 & 285, Pages 1-2, Section 137.016, Lines 16-19, by deleting all of said lines and inserting in lieu thereof the following:

“implement section 7 of article X of the Missouri Constitution. For classification purposes any sawmill or planing mill defined in the U.S. Department of Labor’s Standard Industrial Classification (SIC) Manual under industry Group 252 with the SIC number 2421 shall be classified as half commercial property and half agricultural property with an assessed valuation ration of twenty-two percent of the real value of the property.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Day, **HCS HBs 112 & 285, as amended**, was adopted.

On motion of Representative Day, **HCS HBs 112 & 285, as amended**, was ordered perfected and printed.

HB 167, relating to driver's license examinations, was taken up by Representative Nolte.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 167, Section 302.173, Page 2, Line 34, by inserting the word "**spoken**" before the word "**language**"; and

Further amend said section and page, Line 35, by inserting directly after the word "**section**" the following:

" , but sign language interpreters may be provided when requested by persons who are deaf or hard of hearing, but are otherwise qualified to take the examination, as required by Title II of the Americans with Disabilities Act"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Kirkton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 167, Page 2, Section 302.173, Line 19, by inserting after the word "thereunder," the following:

"or if the applicant received his or her original license on or after August 28, 2011, after passing an examination conducted in a language other than English or through the use of an interpreter,"; and

Further amend said bill, Page 2, Section 302.173, Lines 30 to 35, by deleting all of said lines and inserting in lieu thereof the following:

"operation of a motor vehicle of the classification for which the license is sought. Beginning on August 28, 2011, applicants with limited or no English proficiency who have not previously been issued a license may be allowed to have an examination in a language they understand, or access to an interpreter, for the first license issued to him or her. Upon the expiration of that license under section 302.181 or after five years whichever term is longer, the applicant's license shall be renewed only after passing the examination in English. All other examinations conducted under the authority of this section shall only be administered in the English language so that the applicant can demonstrate his or her ability to read the English language sufficiently to understand highway signs and safety warnings. The director shall neither supply nor permit the use of language interpreters in connection with the written and driving tests required under this section, except under the aforementioned exception for first-time license applicants. When an applicant for a license has"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HB 167, as amended, with House Amendment No. 2, pending, was laid over.

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 464**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 475**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 111**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 220**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 287**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 408**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 506**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 769, introduced by Representatives Wells, Funderburk, Dieckhaus, McGhee, Ruzicka, Jones (89) and Kelly (24), relating to fire sprinkler contractor regulation.

HB 770, introduced by Representatives Smith (71), Schieffer, Harris, Ellinger, Pierson, Taylor, Webb, McGeoghegan, Hubbard, Pace, Nichols, Colona, Jones (63), May, Nasheed, Kratky, Brown (50) and Carter, relating to assault of an elected official or his or her staff member.

HB 771, introduced by Representative Curls, relating to foster care and adoptive parents recruitment and retention.

HB 772, introduced by Representatives Peters-Baker, Berry, Conway (27), Rizzo, Talboy, McManus, Swearingen and McCann Beatty, relating to court costs for certain municipal ordinance violations.

HB 773, introduced by Representatives Gosen, Wieland, Nance and Molendorp, relating to the regulation of surplus lines insurance.

HB 774, introduced by Representatives Korman, Diehl, Flanigan, Lant, Kelley (126), Allen, Brown (85), Hinson, Berry, Conway (14), Houghton, Redmon, Cookson, Bandom, Lichtenegger, Davis, McGhee, Bahr, Cross, Long, Shively, Smith (71) and White, relating to the initiative to save act.

HB 775, introduced by Representatives Wyatt, Shively and Franklin, relating to reimbursement for the transport of persons to and from mental health facilities.

HB 776, introduced by Representatives Leara and Colona, relating to police retirement.

HB 777, introduced by Representatives Denison, Grisamore and Wright, relating to water safety.

HB 778, introduced by Representatives Riddle, Parkinson, Jones (89), Schoeller, Allen, Keeney, Smith (150), Silvey, Tilley, Entlicher, Richardson, Wallingford, Korman, Leara, Brown (116), Higdon, Houghton, Schatz, Phillips, Grisamore, Lair, Fisher, Loehner, Schad, Rowland, Shumake, Cauthorn, Funderburk, Hinson, Hampton, Cross, Crawford, Brattin, Davis, White, Frederick, McCaherty, Berry, Barnes, Lant, Reiboldt, Fuhr, Brown (85), Fitzwater, Leach, Cookson, Fraker, Bahr, Wyatt, Haefner, Marshall, Conway (14), Guernsey, Asbury, Largent, Molendorp, Cox, Bernskoetter, Redmon, Klippenstein, Zerr and Franz, relating to carrying concealed firearms in the state capitol building.

HB 779, introduced by Representatives Hummel, Carter, Kratky, Colona and Carlson, relating to remediation tax credits.

HB 780, introduced by Representatives Oxford, Carter, Pace, Walton Gray, Atkins, Talboy, Ellinger, Hughes, Casey and Holsman, relating to job growth.

COMMUNICATION

March 2, 2011

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. In reference to House Bill No. 258, The Schupp Co., Inc. does work for Miller/Coors Brewing.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Jill Schupp
District 82

The following member's presence was noted: Diehl.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 8, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 633

Executive session may be held on any matter referred to the committee.

BUDGET

Tuesday, March 8, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Overview of HCS House Bills 1 through 13.

BUDGET

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Overview of HCS House Bills 1 through 13.

CHILDREN AND FAMILIES

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 515, HB 636, HB 683

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 658

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 10, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 657, HB 493, HB 697

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 8, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 38, HB 385, HB 541, HB 670

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 8, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: SJR 2, SB 3, HB 478, HB 629, HB 521, HB 121

Executive session will be held: HB 503

Executive session may be held on any matter referred to the committee.

AMENDED

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, March 8, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Work session; no public testimony.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, March 8, 2011, 7:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Possible work session; no public testimony.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 639, HB 511

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, March 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 108, HB 491

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 197, HB 392, HB 580, HB 563

Executive session will be held: HB 110

Executive session may be held on any matter referred to the committee.

Bills to be heard in the order shown.

HEALTH INSURANCE

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 609

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1st Quarter Meeting.

AMENDED

LOCAL GOVERNMENT

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 534, HB 675, HB 737, HB 710, HB 625, HB 438

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 664, HB 665, HB 241

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 34

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 8, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Work session on Proposition C; review of sections in HB 613.

TAX REFORM

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 425, HB 740, HB 106

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 307, HB 291, HB 713

Executive session may be held on any matter referred to the committee.

AMENDED

UTILITIES

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 42, HB 711, HB 501

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FIFTH DAY, TUESDAY, MARCH 8, 2011

HOUSE BILLS FOR SECOND READING

HB 769 through HB 780

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

HOUSE BILLS FOR PERFECTION

- 1 HB 167, as amended, HA 2, pending, - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HB 131 - Cox
- 5 HCS HB 266 - Smith (150)
- 6 HB 339 - Pollock
- 7 HB 434 - Nolte

HOUSE BILLS FOR PERFECTION - CONSENT

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black

- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIFTH DAY, TUESDAY, MARCH 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

You are my God, and I will praise You; You are my God, I will exalt You. (Psalm 118:28)

Our Heavenly Father, in Whom we live and move and have our being, so fill us with Your spirit that we may not yield to temptation on this Mardi Gras, but be strengthened with inward power for outward tasks. May we meet our obligations with honor, our duties with faith, and our responsibilities with a high regard for the good of all.

Stimulate us with those deep and abiding convictions which keep our state of Missouri strong, which makes our houses of worship vital, and fill our homes with love and joy and peace. May noble virtues live nobly in us, and may we give them hands and feet in our day and for this hour in which we live. And the House says, "Amen"!

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kaitlin McClaskey, Kenaniah McClaskey, Cole Herman, Saylor Herman, Kai Herman, Gaela Jenks, Makayla Green, Jacob Green, Hunter Caldwell, Zoe Achilleus, Uriel Achilleus, Sara Nema, Lindsey Farris, Gwendolyn Farris, Jeremy Schneiderjohn and Nathan Schneiderjohn.

The Journal of the thirty-fourth day was approved as corrected.

SPECIAL RECOGNITION

Country recording artist and auctioneer Leroy Van Dyke of Smithton, Missouri, was introduced by Representatives Brown (116) and Cox and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 913 through House Resolution No. 957

SECOND READING OF HOUSE BILLS

HB 769 through **HB 780** were read the second time.

Representative Smith (150) assumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 2, relating to religious freedom in public places, was taken up by Representative McGhee.

On motion of Representative McGhee, **HJR 2** was ordered perfected and printed by the following vote:

AYES: 131

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Molendorp
Nance	Neth	Nolte	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman
Mr Speaker				

NOES: 031

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Curls	Ellinger	Hubbard	Hughes
Jones 63	Kelly 24	Kirkton	May	McCann Beatty
McDonald	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Peters-Baker	Pierson	Schupp
Smith 71	Spreng	Still	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 001

Meadows

Speaker Pro Tem Schoeller assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 266, relating to vehicles hauling livestock, was taken up by Representative Smith (150).

HCS HB 266 was laid over.

LETTER OF RESIGNATION

March 8, 2011

Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to RSMo, 21.090, I hereby submit my resignation, effective today at 12:00 noon, as state representative for the 41st District so that I may take the oath of office as state senator for the 9th District.

I furthermore request, pursuant to the same section, that you immediately notify the governor of said resignation so that he may call a special election for the 41st District seat in the House of Representatives.

Sincerely,

/s/ Shalonn "Kiki" Curls
Representative, 41st District
Senator-Elect, 9th District

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILLS

HCS HB 266, relating to vehicles hauling livestock, was again taken up by Representative Smith (150).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis

Day	Denison	Dieckhaus	Elmer	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Laur	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Sprenge	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Atkins	Diehl	Dugger	Entlicher	Franz
May	Meadows	Scharnhorst	Schneider	Wells

VACANCIES: 001

On motion of Representative Smith (150), **HCS HB 266** was adopted by the following vote:

AYES: 102

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty

Molendorp	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Brown 50	Carlson	Carter	Colona
Conway 27	Denison	Ellinger	Fuhr	Funderburk
Gosen	Higdon	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Nance
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Scharnhorst	Schieber	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Webber
Weter	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 008

Atkins	Diehl	Dugger	Entlicher	Gatschenberger
Lauer	May	Meadows		

VACANCIES: 001

On motion of Representative Smith (150), **HCS HB 266** was ordered perfected and printed.

HB 339, relating to telecommunications, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 339, Section 392.460, Page 4, Line 122, by removing from said line the phrase:

“**one million**” and inserting in lieu thereof the phrase:

“**eight hundred thousand**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Holsman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 339, Page 5, Section 392.460, Line 127, by inserting after all of said line the following:

"15. A petition may be submitted to the registered agent for the original carrier of last resort to make local voice service available if the exclusive contract with the alternative service provider materially and adversely changes or local voice services are no longer being provided. Such petition shall be submitted by fifty percent plus one of the residents within the exclusive contract area. After receipt of the petition, the local exchange carrier shall respond to such petition within thirty days."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 2** was adopted.

Representative Jones (117) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 339, Page 4, Section 392.460, Line 110, by inserting after the phrase:

“any technology” on said line the following:

“If a telecommunications company uses a wireless technology, such company shall meet such obligations by using a technology that provides 911 caller location technology that meets or exceeds wireless Phase II enhanced 911 rules requirements, as adopted by the Federal Communications Commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 3** was adopted.

On motion of Representative Pollock, **HB 339, as amended**, was ordered perfected and printed by the following vote:

AYES: 110

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Carter	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Elmer	Faith	Fisher	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson

Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 043

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Hummel	Kander	Kelly 24
Kirkton	Kratky	Marshall	McCann Beatty	McDonald
McGeoghegan	McManus	Montecillo	Newman	Nichols
Oxford	Pierson	Quinn	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Webber	Wright	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 009

Dugger	Entlicher	Fitzwater	Lampe	May
McNeil	Meadows	Rizzo	Schneider	

VACANCIES: 001

HB 167, as amended, with House Amendment No. 2, pending, relating to driver's license examinations, was taken up by Representative Nolte.

Representative Rizzo offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 167, Page 1, Line 13, by inserting immediately after the word "**understand,**" the following:

"only if offered in the language by the department of revenue under current law,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rizzo moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Kirkton moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Fallert offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 167, Page 2, Section 302.173, Line 35, by inserting after the word “**section.**” the following:

“Notwithstanding any other provision of law, examinations conducted under the authority of this section must be administered in the English language to all drivers prior to driving on roads located in the State of Missouri. [”]; and

Further amend said bill, page, section, Line 42, by inserting a closing bracket, “]” after the word “vehicle.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Anders	Atkins	Black	Carlson	Casey
Colona	Conway 27	Fallert	Harris	Hodges
Hughes	Kratky	McDonald	McNeil	Nasheed
Newman	Nichols	Pierson	Quinn	Schieffer
Shively	Smith 71	Spreng	Swearingen	Walton Gray

NOES: 129

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Faith	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	Molendorp	Montecillo	Nance	Neth
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Schupp	Shumake	Sifton	Silvey	Smith 150
Solon	Still	Stream	Swinger	Talboy
Taylor	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Dugger	Fitzwater	Guernsey	Klippenstein	May
Meadows	Scharnhorst	Thomson		

VACANCIES: 001

Representative Parkinson assumed the Chair.

Representative Oxford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 167, Page 2, Section 302.173, Line 35, by inserting after the word “**section.**” the following:

“If an applicant fails to pass the driver’s license exam, the state shall offer to pay for the applicant to attend English as a second language classes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

HB 167, as amended, was laid over.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 2 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 503**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 490**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 546**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 88**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 34

WHEREAS, the Mark Twain National Forest, the only national forest in Missouri, is 1.5 million acres spread across 29 counties, with 1.4 million acres open to public hunting, 14 floatable streams, and 16 lakes ranging from 3 to 44 acres; and

WHEREAS, the Mark Twain National Forest is located in southern and central Missouri, and extends from the St. Francois Mountains in the southeast to dry rocky glades in the southwest, from the prairies lands along the Missouri River to the nation's most ancient mountains in the south; and

WHEREAS, the Mark Twain National Forest is popular with hunters, trappers, anglers, and persons who enjoy observing, studying, and photographing wildflowers and wildlife; and

WHEREAS, the Mark Twain National Forest has approximately 320 species of birds, 75 species of mammals, and 125 species of amphibians and reptiles; and

WHEREAS, named after Missouri native, Mark Twain, the National Forest gets a variety of visitors through the year, including spring and fall, when color changes the forest; and

WHEREAS, on January 8, 2009, the United States Forest Service Travel Management Rule, 36 CFR 212, Subpart B, became effective. This Rule requires each national forest or ranger district to designate those roads, trails, and areas open to motor vehicles; and

WHEREAS, the designations under the Rule include class of vehicle and, where appropriate, time of year for motor vehicle use; and

WHEREAS, once these designations are completed, the Rule will prohibit motor vehicle use off the designated system or inconsistent with the designations; and

WHEREAS, these designations will be made locally, with public input and in coordination with state, local, and tribal governments; and

WHEREAS, these designations will be shown on a motor vehicle map, with any use inconsistent with those designations prohibited; and

WHEREAS, the Travel Management Rule limits access to areas of the forest, especially for the disabled and elderly. Many disabled and elderly persons enjoy hunting, fishing, and observing nature and wildlife; and

WHEREAS, many areas of the forest are only accessible by hiking, so further restrictions on motor vehicle usage in the National Forest will significantly reduce access to the wide range of learning and recreational opportunities available in the Mark Twain National Forest:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Forest Service to amend or rescind the Travel Management Rule, 36 CFR 212, Subpart B, and allow an increase in motor vehicle access to areas of the Mark Twain National Forest; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Tom Tidwell, Chief of the United States Forest Service, and each member of the Missouri Congressional Delegation.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 36, introduced by Representatives Kander, McNary and Schupp, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 781, introduced by Representatives Torpey, Grisamore, Molendorp, Peters-Baker, Rizzo, Hoskins, Largent, Scharnhorst, Schad, Smith (150) and Guernsey, relating to child molestation in the first degree.

HB 782, introduced by Representative Cauthorn, relating to the designation of motorcycle awareness month.

HB 783, introduced by Representatives Berry, Scharnhorst, Bernskoetter, Schieber, Richardson, Wallingford, Nolte, Crawford, Houghton, Lant, Reiboldt, Faith, Nance, Fraker, Lasater, Barnes, Frederick, Brattin, Davis, Brown (85), Fuhr, Zerr, Allen, Kelly (24), Lauer, Kelley (126), Long, Burlison, Swearingen, Anders, Peters-Baker, Conway (27), Fitzwater, Leach, Franklin, Wyatt, Asbury, Taylor, Redmon, Klippenstein, McCaherty, Wieland, White, Higdon, Brown (116), Diehl, Neth, Korman, Rowland, Marshall, McGhee, Bahr, Johnson, Entlicher, Cierpiot and Silvey, relating to small business development.

HB 784, introduced by Representatives Riddle and Cox, relating to motor vehicle and driver registration records.

HB 785, introduced by Representative Riddle, relating to products liability.

HB 786, introduced by Representatives Franklin, Lant, Lichtenegger, Davis, Entlicher, Flanigan, Conway (14), Wyatt, Haefner, Reiboldt, Berry, Brown (85), Silvey, Pollock, Kelley (126), Houghton, Johnson, Wallingford, Gatschenberger, Phillips, Fisher, Lair, Hampton, Schad, Cox, White, Higdon, Day, Frederick, Redmon, Brattin, Barnes and Fraker, relating to nonprofit fee offices.

HB 787, introduced by Representatives Wells, Pollock, Largent, Taylor and Brown (116), relating to residential mortgage loan brokers.

HB 788, introduced by Representative Fisher, relating to workers' compensation law.

HB 789, introduced by Representatives Johnson, Houghton, Franklin, Guernsey, Thomson, Loehner, Entlicher and Berry, relating to a sales tax exemption for farm products sold at farmers' markets.

HB 790, introduced by Representatives Marshall, Cierpiot, Higdon, Fuhr and Fitzwater, relating to the water patrol division of the Missouri state highway patrol.

HB 791, introduced by Representatives Marshall, Conway (14), Fuhr and Fitzwater, relating to DNA profiling analysis.

HB 792, introduced by Representatives Marshall, Cierpiot, Higdon, Fuhr and Fitzwater, relating to the state highway patrol.

HB 793, introduced by Representatives Nance and Pace, relating to public assistance benefits for children.

HB 794, introduced by Representatives Spreng, Scharnhorst, Schieffer, Shively, Taylor, Jones (89) and Quinn, relating to storm water management.

HB 795, introduced by Representatives Kelley (126), Tilley, Brattin, Bahr, Parkinson, Conway (14), Redmon, Johnson, Talboy, Hinson, McCaherty, Lant, Schieber, Cross, Fitzwater, Leach, Fraker, Barnes, Wallingford, Torpey, Rizzo, Pollock, Schatz, Wells, Phillips, Carter, Curls, Fallert, Lampe, Kratky, Meadows, Anders, Spreng, Harris, May, Casey, Montecillo, Hodges, Conway (27), Brown (85), Haefner, Frederick, Jones (117), Rowland, Holsman, Smith (150), Fuhr, Molendorp, Hummel, Nolte, Fisher, Denison, McNeil, Marshall, Berry, Reiboldt, Jones (63), Kirkton, Taylor, Wyatt, Largent, Jones (89), Guernsey, Grisamore, Colona, Wright, Lair, Day, Higdon, Neth, Houghton, Lauer, Gatschenberger, Long, Korman, Silvey, Dugger, Brown (116), Koenig, Crawford, Franklin, Gosen, Brown (50), Nasheed, Kelly (24), Still, Pace, Aull, McDonald, Quinn, Shively, Black, Sifton, Swinger, Webber, Kander, Zerr, Richardson, White, Davis, McNary, Hoskins, Wieland, Diehl, Asbury, Burlison, Lasater, Funderburk, Klippenstein, Sater, Bernskoetter, McGhee, Pierson, Smith (71), Swearingen, Oxford, Ruzicka, Shumake, Carlson, McManus, Ellinger, McGeoghegan, Nance, Hampton, Hubbard, Faith, Entlicher, Elmer, Flanigan, Allen, Riddle, Schoeller, Bandom, Franz, Newman, Walton Gray, Dieckhaus, Schneider, Curtman, Keeney and Schupp, relating to the designation of school read-in day.

HB 796, introduced by Representatives Schupp, Diehl, Walton Gray, Carlson and Meadows, relating to third party candidates.

HB 797, introduced by Representatives Korman and Cauthorn, relating to the state land survey program.

HB 798, introduced by Representative Brown (85), relating to the designation of a memorial bridge.

HB 799, introduced by Representatives Carlson, McGhee, Berry, Webber, Lasater, Quinn, Newman, Curls, Ellinger, Spreng, Smith (71), Pace, Swearingen, Hubbard, Kelly (24), Carter, Oxford, McDonald, Atkins, Walton Gray, Rizzo, Meadows, Pierson, Nasheed, Jones (63), Brown (50), Schupp, Montecillo, Webb, McNeil, McGeoghegan, Kirkton, Wieland, McCann Beatty and Talboy, relating to repealing the death penalty.

HB 800, introduced by Representatives Stream, McNeil, Kirkton and Montecillo, relating to school discipline.

COMMITTEE APPOINTMENT

March 8, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Gail McCann Beatty to the Committee on Budget.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 9, 2011.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fourth day, Monday, March 7, 2011, Page 537, Line 1, by inserting immediately after said line the following:

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 504 - Judiciary

COMMITTEE MEETINGS

BUDGET

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Overview of HCS House Bills 1 through 13.

BUDGET

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Overview of HCS House Bills 1 through 13.

BUDGET

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Bills to be considered: HCS House Bills 1 through 13.

BUDGET

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Bills to be considered: HCS House Bills 1 through 13.

CHILDREN AND FAMILIES

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 515, HB 636, HB 683
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 658

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 10, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 657, HB 493, HB 697

Executive session may be held on any matter referred to the committee.

ELECTIONS

Wednesday, March 9, 2011, 2:00 PM House Hearing Room 1.

Public hearing will be held: HB 121, SJR 2, SB 3

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 639, HB 511

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, March 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, March 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 132, HB 550, HB 656

Executive session may be held on any matter referred to the committee.

CORRECTED

FISCAL REVIEW

Wednesday, March 9, 2011, 4:30 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

HEALTH CARE POLICY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 197, HB 392, HB 580, HB 563

Executive session will be held: HB 110

Executive session may be held on any matter referred to the committee.

Bills to be heard in the order shown.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 9, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: SCS SB 19

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - OVERSIGHT SUBCOMMITTEE

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Contested fiscal notes: HCS HBs 73 & 47, HB 101, HB 139, HCS HB 641, SB 236

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1st Quarter Meeting.

AMENDED

JUDICIARY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 374, HB 505, HB 504, HB 530

Executive session may be held on any matter referred to the committee.

AMENDED

LOCAL GOVERNMENT

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 534, HB 675, HB 737, HB 710, HB 625, HB 438

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 9, 2011, House Hearing Room 5.

12:00 PM; or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 496, HB 677, HB 495, HB 134, HB 499

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 664, HB 665, HB 241

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, March 9, 2011, 2:30 PM House Hearing Room 4.

Public hearing will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 9, 2011, 2:45 PM House Hearing Room 4.

Executive session will be held: HCS HB 29, HCS HJR 8, HJR 29, HB 252, HB 361, HCS HBs 411 & 421, HCS HB 431, HCS HB 38, HB 68, HB 98, HB 118, HB 183, HCS HBs 187 & 54, HB 263, HCS HB 287, HCS HBs 294, 123, 125, 113, 271, & 215, HB 340, HCS HB 344, HB 462, HB 503, HCS HB 578

Executive session may be held on any matter referred to the committee.

HCS HB 338 WILL NOT BE HEARD.

AMENDED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, March 10, 2011, 9:00 AM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Work Group on Prop. C.

TAX REFORM

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 425, HB 740, HB 106

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 10, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HJR 15, HB 545, HCR 15, HB 192

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 678, HB 662

Executive session will be held: HB 324, HB 354, HB 484, HB 548

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 14, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 738, HB 667, HB 660, HB 643

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 10, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 744, HB 745

Executive session will be held: HB 286, HB 312

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 9, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 36

HOUSE BILLS FOR SECOND READING

HB 781 through HB 800

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 6 - Cierpiot

HOUSE BILLS FOR PERFECTION

- 1 HB 167, as amended - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HB 131 - Cox
- 5 HB 434 - Nolte

HOUSE BILLS FOR PERFECTION - CONSENT

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 174 - Thomson
- 2 HCS HB 112 & 285 - Day

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 9, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is my light and my salvation; whom shall I fear? (Psalm 27:1)

Eternal God and Father of all, facing responsibilities that tower above us like threatening waves beyond our power to meet adequately - we bow in Your presence, praying for the strengthening uplift of Your Holy Spirit. In quiet confidence we come with humble and contrite hearts, on this Ash Wednesday morning, acknowledging with the Psalmist - *The Lord is the strength of my life, my light, and my salvation.*

As we face the tasks of this day, help us to be conscious of Your presence, and eager to do Your will and to work for the good of our state.

In this time of tumult, through these days of economic uncertainty, give us a steadiness of purpose, a devotion to duty, and a determination to complete the work we are called to do. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adam Hart, Jason Hart, Abby Hart, Kyle Bernskoetter, Krista Bernskoetter and Luke Bernskoetter.

The Journal of the thirty-fifth day was approved as printed.

SPECIAL RECOGNITION

The Nevada R-V High School Lady Tigers Softball Team was introduced by Representative Fisher and recognized for attaining the 2010-2011 Class 3 State Championship.

HOUSE RESOLUTION

Representatives Cox and Kelly (24) offered House Resolution No. 1003.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 958 through House Resolution No. 1002

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 36 was read the second time.

SECOND READING OF HOUSE BILLS

HB 781 through **HB 800** were read the second time.

PERFECTION OF HOUSE BILLS

HB 167, as amended, relating to driver's license examinations, was taken up by Representative Nolte.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 004

Berry	Meadows	Webber	Zimmerman
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VACANCIES: 001

On motion of Representative Nolte, **HB 167, as amended**, was ordered perfected and printed.

HCS HB 213, relating to abortions, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 213, Page 1, Section 188.015, Lines 5-9, by deleting all of said lines and inserting in lieu thereof the following:

“(a) the act of using or prescribing any instrument, device, medicine, drug, or any other means or substance with the intent to destroy the life of an embryo or fetus in his or her mother's womb; or

(b) the intentional termination of the pregnancy of a mother by using or prescribing any instrument, device, medicine, drug, or any other means or substance with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child.”; and

Further amend said bill, Section 118.030, Page 3, Line 31, by deleting all of said line and inserting in lieu thereof the following:

**“2. Except in the case of a medical emergency:
(1) Prior to performing or inducing”; and**

Further amend said bill, Section 118.030, Page 3, Lines 55-56, by deleting all of said lines and inserting in lieu thereof the following:

“(4) (a) If the physician determines that the unborn child is viable, the physician”; and

Further amend said bill and section, Page 5, Lines 108-116, by deleting all of said lines and inserting in lieu thereof the following:

“4. Any physician who pleads guilty to or is found guilty of performing or inducing an abortion of an unborn child in violation of this section shall be subject to suspension or revocation of his or her license to practice medicine in the state of Missouri by the State Board of Registration for the Healing Arts pursuant to the provisions of sections 334.100 and 334.103.

5. Any hospital licensed in the state of Missouri that knowingly allows an abortion of an unborn child to be performed or induced in violation of this section may be subject to suspension or revocation of its license under the provisions of section 197.070.

6. Any ambulatory surgical center licensed in the state of Missouri that knowingly allows an abortion of an unborn child to be performed or induced in violation of this section may be subject to suspension or revocation of its license under the provisions of section 197.220.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Peters-Baker offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 213, Section 188.030, Page 6, Lines 128-131, by deleting all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Peters-Baker moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative McNeil offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 213, Page 2, Section 188.015, Lines 31-34, by deleting all of said lines and inserting in lieu thereof the following:

““Viable”, a physician’s reasonable medical judgement, in accordance with accepted obstetrical and neonatal standards of care and practice, there is a reasonable likelihood that the unborn child can sustain a meaningful quality of life outside the mother’s womb with or without artificial support.”; and

Further amend said bill and Section 188.030, Page 3, Lines 40-41, by deleting all of said lines and inserting in lieu thereof the following:

“(2) Prior to performing or inducing an abortion upon the woman, the”; and

Further amend said bill, section and page, Lines 48-49, by deleting all of said lines and inserting in lieu thereof the following:

“(3) If the physician determines that the unborn child is not viable and performs or”; and

Further amend said bill, section and page, Lines 55-56, by deleting all of said lines and inserting in lieu thereof the following:

“(4) (a) If the physician determines that the unborn child is viable, the physician”; and

Further amend said bill and section, Page 4, Lines 61-66, by deleting all of said lines and inserting in lieu thereof the following:

“(b) A physician may proceed with performing or inducing an abortion upon a woman when it has been determined that the unborn child is viable. The physician shall certify in writing if a medical threat is posed to the life of the pregnant woman. Upon completion of the abortion, the physician shall report the reasons”; and

Further amend said bill, section and page, Lines 71-83, by deleting all of said lines from the bill and renumbering the remaining subsections of this section of the bill accordingly; and

Further amend said bill and section, Page 5, Lines 103-121, by deleting all of said lines from the bill and renumbering the remaining sections of the bill accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 213, as amended, with House Amendment No. 3, pending, was laid over.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee on Rules:

HR 571, HR 696, HR 787 and HR 1003.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 266 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 2** (Fiscal Review), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 266** (Fiscal Review), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these Rivers (estimated to be \$6 billion) as it does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for a better data based upon new hydrology and flow studies and the need to study tributaries to the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the River; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructures, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantify the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H is totally unacceptable to Lincoln, Pike, and St. Charles Counties and we ask the Missouri Congressional Delegation to support modifications of the comprehensive plan, by the Corps of Engineers, to this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 336**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 197**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 300**, **HB 334** and **HB 387**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 369**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 470** and **HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, bicycling and walking are essential to millions of Missourians as basic transportation and enjoyed by millions of Missourians as healthful recreation and as part of a healthy lifestyle; and

WHEREAS, encouraging and promoting a complete network of safe bicycle and pedestrian ways and routes is essential for those Missourians who rely on bicycling and walking for transportation, recreation, and health; and

WHEREAS, a safe and complete bicycle and pedestrian system is important for Missouri's economy and economic development; and

WHEREAS, world-class bicycling and walking facilities help promote Missouri as a leading tourist and recreation destination; and

WHEREAS, walking and bicycling improve the public health and reduce treatment costs for conditions associated with reduced physical activity, including obesity, heart disease, lung disease, and diabetes; and

WHEREAS, the United Health Foundation estimates direct medical costs associated with physical inactivity in Missouri at \$1.9 billion in 2008, and projects an annual cost for Missouri of over \$8 billion per year by 2018 if current trends continue; and

WHEREAS, the annual per capita cost of obesity is \$450 per Missourian, among the highest per capita costs of any state in the United States; and

WHEREAS, promoting walking and bicycling for transportation improves Missouri's environment, reduces congestion, reduces the need for expensive expansion of our road and highway systems, and reduces our dependence on foreign energy supplies; and

WHEREAS, creating healthy, walkable, bicycleable, and livable communities helps keep Missouri competitive in the global competition for high quality businesses and motivated, creative workers who consider transportation and recreation options an essential part of a healthy community; and

WHEREAS, Missourians who reach retirement age choose more often to walk and bicycle for fitness, recreation, enjoyment, and transportation; and

WHEREAS, citizens with disabilities often rely on walking, bicycling, and transit to meet basic transportation needs and to make connections with the transit system, face great obstacles within our current transportation system, and benefit greatly from complete and well designed accommodations for bicycling and walking; and

WHEREAS, all transit users depend on walking and bicycling to complete at least part of each transit trip; and

WHEREAS, the number of Missouri students who walk and bicycle to school has dropped dramatically over the past forty years, with 50% of students walking or bicycling in 1975 but only 15% in 2005. In the same period, the percentage of children clinically defined as overweight has increased from 8% to 25%; and

WHEREAS, the principles of Complete Streets are designed to create a transportation network that meets the needs of all users of the state's transportation system: pedestrians of all ages and abilities, bicyclists, disabled persons, public transportation vehicles and patrons, and those who travel in trucks, buses, and automobiles; and

WHEREAS, the term "Complete Streets" means creating roads, streets, and communities where all road users can feel safe, secure, and welcome on our roads and streets and throughout our communities; and

WHEREAS, the terms "livable streets" and "comprehensive street design" are also used to identify these same concepts; and

WHEREAS, coordination and cooperation among many different agencies and municipalities is required to fully implement Complete Streets and create a complete, connected, and safe transportation network for walking and bicycling; and

WHEREAS, the cities of Elsberry, Pevely, Herculaneum, Crystal City, Festus, De Soto, Ferguson, Columbia, Lee's Summit, Kansas City, and St. Louis City have adopted Complete Streets or Livable Streets policies; and

WHEREAS, metropolitan planning organizations in the St. Joseph area, the Kansas City area, and the St. Louis area have adopted Complete Streets policies as part of the long-range planning process:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby declare our support for Complete Streets policies and urge their adoption at the local, metropolitan, regional, state, and national levels; and

BE IT FURTHER RESOLVED that the General Assembly encourages and urges the United States Department of Transportation, the Missouri Department of Transportation, the governing bodies of Metropolitan Planning Organizations, and Regional Planning Commissions, municipalities, and other organizations and agencies that build, control, maintain, or fund roads, highways, and bridges in Missouri to adopt Complete Streets policies and to plan, design, build, and maintain their road and street system to provide complete, safe access to all road users; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ray LaHood, Secretary of the United States Department of Transportation; members of the Missouri Highway and Transportation Commission; the director of each Metropolitan Planning Agency and Regional Planning Commission in the State of Missouri; and the Missouri Municipal League.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 38**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 98**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 118**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 183**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 187 & 54**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 263**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 287**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 294, 123, 125, 113, 271 & 215**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 411 & 421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 503**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 83, HB 109, HB 127, HB 137, HB 142, HB 149, HB 151, HB 153, HB 171, HB 184, HB 186, HB 189, HB 190, HB 204, HB 217, HCS HB 250, HCS HB 338, HCS HB 363, HB 415 and HB 442.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 801, introduced by Representatives Nichols and McNary, relating to the uniform planned community act.

HB 802, introduced by Representatives McCaherty, Cross, Wieland, Curtman, Frederick, Parkinson, Lant, Stream, Brown (85), Holsman, Colona, Kratky, Jones (63), Riddle, Fuhr, Brattin and Davis, relating to property damage in the first degree.

HB 803, introduced by Representative Hughes, relating to repealing intervention fees for parolees.

HB 804, introduced by Representative Hughes, relating to adoption.

HB 805, introduced by Representative Hughes, relating to expungement of certain criminal records.

HB 806, introduced by Representative Hughes, relating to an economic development grant program.

HB 807, introduced by Representative Hughes, relating to use of credit scores by employers.

HB 808, introduced by Representative Hughes, relating to the labeling of food.

HB 809, introduced by Representative Hughes, relating to state contracts.

HB 810, introduced by Representative Hughes, relating to title loans.

HB 811, introduced by Representatives Talboy and Tilley, relating to motor vehicle extended service contracts.

HB 812, introduced by Representatives Brattin, Molendorp, Largent and McGhee, relating to a special license plate.

HB 813, introduced by Representative Dugger, relating to the designation of a memorial bridge.

HB 814, introduced by Representatives McDonald, Denison, Kander, Hughes, Talboy, Conway (27), Anders, Cierpiot, Cross, Hodges, McManus, Kratky, Fallert, Hummel, Swinger, Casey, Harris, Lasater, Brown (50), Holsman and Molendorp, relating to the designation of a highway.

HB 815, introduced by Representative Scharnhorst, relating to published county financial statements.

HB 816, introduced by Representatives Parkinson, McCaherty, Gatschenberger, Conway (14), and Kelley (126), relating to temporary assistance for needy families.

HB 817, introduced by Representative Wyatt, relating to temporary assistance for needy families.

HB 818, introduced by Representative Denison, relating to motor vehicle dealers.

HB 819, introduced by Representative Denison, relating to electronic notifications and forms from the department of revenue.

HB 820, introduced by Representative Denison, relating to commercial drivers' licensing.

HB 821, introduced by Representatives Bernskoetter, Sater and Denison, relating to pharmacy services.

HB 822, introduced by Representative McGhee, relating to escrow funds.

HB 823, introduced by Representative Ruzicka, relating to the state park earnings fund.

HB 824, introduced by Representative Cookson, relating to transient guest taxes.

HB 825, introduced by Representatives Fallert, Denison, Schieffer, Long, McDonald, Hinson and Phillips, relating to motor vehicle registration periods.

HB 826, introduced by Representative Schad, relating to prohibiting exceeding certain noise levels on the Lake of the Ozarks.

HB 827, introduced by Representatives Allen, Zerr and Lichtenegger, relating to dental hygienists.

COMMITTEE APPOINTMENTS

March 9, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

March 9, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Berry and Webber.

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 10:00 a.m., Thursday, March 10, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 653, HB 746

Executive session may be held on any matter referred to the committee.

BUDGET

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Overview of HCS House Bills 1 through 13.

CANCELLED

BUDGET

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

BUDGET

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

DOWNSIZING STATE GOVERNMENT

Thursday, March 10, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 657, HB 493, HB 697

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, March 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - OVERSIGHT SUBCOMMITTEE

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Contested fiscal notes: HCS HBs 73 & 47, HB 101, HB 139, HCS HB 641, SB 236

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1st Quarter Meeting.

AMENDED

RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 664, HB 665, HB 241

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 14, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 557, HB 558, HB 561, HB 562, HB 630, HB 631

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, March 10, 2011, 9:00 AM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Work Group on Prop. C.

TOURISM AND NATURAL RESOURCES

Thursday, March 10, 2011, 8:00 AM House Hearing Room 7.

Executive session will be held: HJR 15, HB 545, HCR 15, HB 192

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 678, HB 662

Executive session will be held: HB 324, HB 354, HB 484, HB 548

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 14, 2011, 5:00 PM House Hearing Room 5.
Public hearing will be held: HB 738, HB 667, HB 660, HB 643
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 10, 2011, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 744, HB 745
Executive session will be held: HB 286, HB 312
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SEVENTH DAY, THURSDAY, MARCH 10, 2011

HOUSE BILLS FOR SECOND READING

HB 801 through HB 827

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 6 - Cierpiot
- 3 HJR 29 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 213, as amended, HA 3, pending - Jones (89)
- 3 HCS HB 131 - Cox
- 4 HB 434 - Nolte
- 5 HCS HB 29 - Sater
- 6 HCS HB 89 - Pollock
- 7 HB 252 - Cox
- 8 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle
- 9 HB 361 - Leara
- 10 HCS HB 411 & 421 - Wyatt
- 11 HCS HB 431 - Franz

HOUSE BILLS FOR PERFECTION - CONSENT

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara

579 *Journal of the House*

- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 2 - McGhee

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 174 - Thomson
- 2 HCS HBs 112 & 285 - Day
- 3 HCS HB 266 - Smith (150)
- 4 HB 339 - Pollock
- 5 HB 167 - Nolte

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 83 - Nolte
- 2 HB 109, E.C. - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black

- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, THURSDAY, MARCH 10, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

O give thanks to the Lord; for He is good; for His mercy endures forever. (Psalm 118:29)

O God, our Father, Who knows us better than we know ourselves, Whose mercy never lets us down and Whose love never lets us go - by Your spirit help us to take an honest look at ourselves and our frustrations, our fears and the futility that marks our daily lives - so much of which separates us from You and from one another.

Grant to us the assurance of Your forgiving spirit, the consciousness of Your redeeming love and the confidence of Your empowering presence that we may begin again this day to walk in Your way, to believe Your truth and to live Your life. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1004 through House Resolution No. 1137

HOUSE CONCURRENT RESOLUTIONS

Representative Barnes, et al., offered House Concurrent Resolution No. 44.
Representative Pollock, et al., offered House Concurrent Resolution No. 45.
Representative Nolte, et al., offered House Concurrent Resolution No. 46.

SECOND READING OF HOUSE BILLS

HB 801 through **HB 827** were read the second time.

THIRD READING OF HOUSE BILLS

HCS HB 174, relating to higher education governing boards, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 174** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Nance
Nasheed	Neth	Nichols	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 012

Atkins	Carlson	Ellinger	Hubbard	Hughes
Montecillo	Newman	Oxford	Pace	Pierson
Smith 71	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Holsman	Meadows	Nolte	Parkinson
Schatz	Webber	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HBs 112 & 285, relating to tax classification of sawmills, was taken up by Representative Day.

On motion of Representative Day, **HCS HBs 112 & 285** was read the third time and passed by the following vote:

AYES: 116

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 040

Anders	Atkins	Aull	Carlson	Carter
Colona	Ellinger	Franz	Hodges	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schad
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Faith	Holsman	Meadows	Nolte	Parkinson
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 266, relating to vehicles hauling livestock, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 266** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McNary
Molendorp	Nasheed	Neth	Nichols	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 046

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Conway 27	Ellinger	Fuhr	Funderburk
Higdon	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	Marshall	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Montecillo	Nance	Newman	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Scharnhorst	Schieber
Schupp	Sifton	Solon	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Webber
Weter				

PRESENT: 000

ABSENT WITH LEAVE: 010

Faith	Franz	Gatschenberger	Holsman	Hughes
Meadows	Nolte	Parkinson	Zimmerman	Mr Speaker

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 339, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 339** was read the third time and passed by the following vote:

AYES: 106

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Pace	Peters-Baker	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 043

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Hummel	Kander	Kirkton
Kratky	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	Montecillo	Newman	Nichols
Oxford	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Diehl	Faith	Kelly 24	Lampe
McNeil	Meadows	Nolte	Parkinson	Scharnhorst
Schatz	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Team Schoeller declared the bill passed.

HB 167, relating to driver’s license examinations, was taken up by Representative Denison.

Representative Keeney assumed the Chair.

On motion of Representative Denison, **HB 167** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Bernskoetter	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 056

Anders	Atkins	Aull	Barnes	Berry
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Gosen	Harris
Hodges	Holsman	Hough	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Phillips	Pierson	Rizzo	Schieber	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen

Talboy	Taylor	Walton Gray	Webb	Webber
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 004

Faith	Meadows	Nolte	Zimmerman	
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VACANCIES: 001

Representative Keeney declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 2, relating to religious freedom in public places, was taken up by Representative Gosen.

On motion of Representative Gosen, **HJR 2** was read the third time and passed by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGeoghegan
McManus	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 030

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Hubbard	Hughes	Jones 63	Kelly 24
Kirkton	May	McCann Beatty	McDonald	McNeil
Montecillo	Newman	Nichols	Oxford	Pace

Peters-Baker	Pierson	Schupp	Smith 71	Spreng
Still	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Day	Faith	McGhee	Meadows	Nolte
Zimmerman				

VACANCIES: 001

Representative Keeney declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 31 - Tourism and Natural Resources

HCR 37 - Health Care Policy

HCR 43 - Urban Issues

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 23 - Elections

HJR 30 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 447 - Local Government

HB 477 - Judiciary

HB 482 - Health Care Policy

HB 516 - Crime Prevention and Public Safety

HB 527 - Transportation

HB 535 - Elections

HB 536 - Economic Development

HB 537 - General Laws

HB 543 - Elementary and Secondary Education

HB 552 - Health Insurance

HB 553 - Professional Registration and Licensing

HB 586 - Elementary and Secondary Education

HB 601 - Agri-Business

HB 602 - Elementary and Secondary Education

HB 611 - Veterans

HB 617 - Elementary and Secondary Education

HB 632 - Professional Registration and Licensing
HB 642 - Elementary and Secondary Education
HB 647 - Local Government
HB 652 - Crime Prevention and Public Safety
HB 654 - Veterans
HB 663 - Judiciary
HB 669 - Health Insurance
HB 671 - Economic Development
HB 680 - Judiciary
HB 691 - Crime Prevention and Public Safety
HB 692 - Crime Prevention and Public Safety
HB 693 - Crime Prevention and Public Safety
HB 695 - Elementary and Secondary Education
HB 706 - Utilities
HB 709 - Elections
HB 712 - Urban Issues
HB 715 - Workforce Development and Workplace Safety
HB 716 - Special Standing Committee on Renewable Energy
HB 717 - Elementary and Secondary Education
HB 723 - Elections
HB 724 - Crime Prevention and Public Safety
HB 725 - Crime Prevention and Public Safety
HB 726 - Ways and Means
HB 727 - General Laws
HB 733 - Corrections
HB 735 - Transportation
HB 736 - Tax Reform
HB 742 - Rural Community Development
HB 749 - Children and Families
HB 752 - Elementary and Secondary Education
HB 755 - Children and Families
HB 761 - Utilities
HB 763 - Elementary and Secondary Education
HB 764 - Elementary and Secondary Education
HB 767 - Ways and Means
HB 769 - Professional Registration and Licensing
HB 770 - Crime Prevention and Public Safety
HB 772 - Judiciary
HB 773 - Insurance Policy
HB 776 - Retirement
HB 777 - Crime Prevention and Public Safety
HB 778 - General Laws
HB 783 - Economic Development
HB 787 - Financial Institutions
HB 788 - Workforce Development and Workplace Safety
HB 794 - Utilities
HB 795 - Children and Families

HB 798 - Transportation

HB 812 - Transportation

HB 813 - Transportation

HB 824 - Ways and Means

HB 825 - Transportation

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 32**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 143**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 115**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 121**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 731**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **SCS SB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, baseball players called him "Skip" because John Jordan "Buck" O'Neil was the captain of the ship that sent more Negro League veterans ashore to the white Majors than any man in baseball history; and

WHEREAS, Buck O'Neil played briefly in 1937 with the Memphis Red Sox and debuted as a first baseman for the Kansas City Monarchs in 1938. In 1942, O'Neil led the Monarchs to a Negro American League title, hitting .353 during the Negro World Series in the Monarchs four-game sweep of the Homestead Grays; and

WHEREAS, O'Neil's achievements included being named to the East-West All-Star Classic in 1942, 1943, and 1949, managing the West squad in 1950, 1953, 1954, and 1955, and playing for the 1946 Satchel Paige All Stars; and

WHEREAS, in 1944, O'Neil enlisted for a two-year stint with the United States Navy, briefly interrupted his playing career. He returned to the Monarchs in 1946, admitting that he regretted the fact that he was not a member of the Monarchs in 1945 when the great Jackie Robinson played in Kansas City before signing with the Brooklyn Dodgers; and

WHEREAS, in 1948, O'Neil succeeded Frank Duncan as manager of the Kansas City Monarchs, continuing to manage the team until 1955. He guided the Monarchs to league titles in 1948, 1950, 1951, and 1953; and

WHEREAS, in 1956, O'Neil was hired by the Chicago Cubs as a scout, helping the team sign future Hall of Famer Lou Brock, and superstars Oscar Gamble, Lee Smith, and Joe Carter;

WHEREAS, O'Neil's greatest achievement came in 1962 when he became the first African-American coach in the Major Leagues with the Cubs. After 33 years as a Cubbie, he returned home in 1988 to scout for the Kansas City Royals; and

WHEREAS, in 1990, O'Neil began raising money for a museum to preserve and celebrate the history of the Negro Leagues. His efforts led to the opening of the Negro League Baseball Museum in Kansas City, serving as Chair of the Board of Directors from 1990 until his death in 2006. O'Neil also served on the Veterans' Committee of the National Baseball Hall of Fame, was posthumously awarded the Presidential Medal of Freedom, and is a member of the Missouri Sports Hall of Fame; and

WHEREAS, O'Neil gained national prominence with his compelling descriptions of the Negro Leagues as part of Ken Burns' 1994 PBS documentary on baseball; and

WHEREAS, on April 2, 2007, the Kansas City Royals honored O'Neil by placing a fan in the Buck O'Neil Legacy Seat in Kauffman Stadium each game who best exemplifies O'Neil's spirit. The seat is a red seat amidst the all-blue seats behind home plate in Section 127, Seat 9, Row C. The first person to sit in "Buck's seat" was Buck O'Neil's brother, Warren; and

WHEREAS, Buck O'Neil will be remembered as the first African-American coach in Major League Baseball and as one of the finest players in the Negro Leagues. Through his willingness to share his memories of the Negro Leagues, fans everywhere have a greater understanding and deeper appreciation for a significant period in baseball history:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby designate November 13, 2011, as "Buck O'Neil Day" in Missouri and recommends to the people of the state that the day be appropriately observed with activities, events, and ceremonies in honor of the first African-American coach in Major League Baseball; and

BE IT FURTHER RESOLVED that the General Assembly requests that the Governor issue a proclamation setting apart November 13, 2011, as "Buck O'Neil Day" in Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor Jay Nixon.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 828, introduced by Representative Fisher, relating to the definition of construction for public works projects.

HB 829, introduced by Representatives Weter, Zerr and Grisamore, relating to school bullying.

HB 830, introduced by Representative Lampe, relating to the farm-to-table advisory board.

HB 831, introduced by Representatives Houghton, Redmon, Smith (71), Cauthorn, Klippenstein, Johnson, Lair, Korman, Asbury, Higdon, Leach, Scharnhorst, Brown (116), Oxford, Pollock, Tilley, Long and Schieffer, relating to direct mail marketing.

HB 832, introduced by Representatives Wright, Cookson, Hampton, Hoskins and Shively, relating to the Missouri state board of accountancy.

HB 833, introduced by Representatives Funderburk, Gosen and Higdon, relating to the advertising of alcoholic beverages.

HB 834, introduced by Representative Lampe, relating to retirement benefits for members of the general assembly.

HB 835, introduced by Representatives Lampe, Newman, Schieffer, Atkins, Oxford, Kelly (24), Brown (50), Fallert, Taylor, Anders, Walton Gray, McGhee and Pace, relating to school attendance.

HB 836, introduced by Representative Scharnhorst, relating to ombudsman services for children with disabilities.

HB 837, introduced by Representatives Brattin, Molendorp, Largent, Hoskins, McGhee, Davis, Bahr, Holsman, Kelley (126), Brown (85), Conway (14), Higdon, Fuhr, Long, Burlison and Lasater, relating to inmate charges for medical treatment at correctional facilities.

HB 838, introduced by Representatives Brattin, Lichtenegger, Davis, Talboy, Barnes and Lasater, relating to newborn screenings.

HB 839, introduced by Representatives Holsman, Schoeller, Lampe, Kelly (24), Talboy, Hummel, Jones (63), Pollock, Silvey, Nance, Wyatt, Hampton, Tilley, Klippenstein, Zerr, Day, Jones (89), Smith (150), Ruzicka, Riddle, Sater, McNeil, Newman, Ellinger, Kirkton, Aull, Smith (71), Hughes, McDonald, Molendorp, Torpey, Kelley (126), Still, Casey, Webber, Carter, Fallert, Black, Schieffer, Nolte, Long, Brattin, Montecillo, Oxford, Atkins, Schneider, Funderburk, Pace, Anders, May, Walton Gray, Swearingen, Harris, Quinn, Schupp, Carlson, Hodges, Kratky, Kander, Sifton, Rizzo, Webb, Brown (50), Nasheed, Taylor, Hoskins, Largent, Spreng, Pierson, Peters-Baker, Wright and Burlison, relating to energy efficiency improvements to certain state buildings.

HB 840, introduced by Representatives Jones (117), Diehl, Jones (89), Funderburk, Nolte, Tilley and Zerr, relating to tax incentives to encourage foreign trade.

HB 841, introduced by Representatives Fitzwater, Jones (89), Fraker, Asbury, Lasater, Cookson, Barnes, Elmer, Hampton and Redmon, relating to the open carry of firearms.

HB 842, introduced by Representatives Conway (27), Fallert, Aull, Still, Hummel, Atkins, Higdon, Talboy, Shively, Rizzo, Carter, Quinn, Colona and Swearingen, relating to the designation of the official state exercise.

HB 843, introduced by Representatives Conway (27), Fallert, Aull, Still, Hummel, Atkins, Higdon, Klippenstein, Kelly (24), Talboy, Johnson, Houghton, Davis, Brattin, Fisher, Lair, Brown (116), Funderburk, Shively, Rizzo, Carter, Quinn, Colona, Webber, McManus, Holsman, Molendorp, Lampe, McCann Beatty, Montecillo and Swearingen, relating to city sales taxes for public safety purposes.

HB 844, introduced by Representative Denison, relating to foster children.

HB 845, introduced by Representatives Curtman, McCaherty, Koenig, Bahr and Wieland, relating to workers' compensation insurance.

HB 846, introduced by Representatives Wieland, Casey, Fallert, Harris, McCaherty, Curtman and Koenig, relating to neighborhood improvement districts.

HB 847, introduced by Representatives Guernsey, Loehner and Klippenstein, relating to agricultural cooperative corporations.

HB 848, introduced by Representatives Fitzwater, Tilley, Colona, Conway (14), Marshall, Kelly (24), Webber, Smith (71), McCann Beatty, Peters-Baker, Zerr, Shively, Jones (63), Smith (150), Taylor, Fallert, Wyatt, Schieber, Schoeller, Shumake, Guernsey, Brown (85), McGhee, Torpey, Pace, Walton Gray, Newman, Still, Aull, Lampe, Rizzo, Meadows, Barnes, Grisamore, Oxford, Weter, Funderburk, Spreng, Sifton, Nasheed, Hubbard, Sater, Ellinger, Reiboldt, Schupp, Montecillo, Talboy, McManus, Hummel, Cross, Allen and Haefner, relating to the University of Missouri board of curators.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 61**, entitled:

An act to repeal section 523.040, RSMo, and to enact in lieu thereof one new section relating to condemnation commissioners.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 63**, entitled:

An act to repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 113 & 95**, entitled:

An act to repeal sections 273.327 and 273.345, RSMo, and to enact in lieu thereof four new sections relating to the care of dogs, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 135**, entitled:

An act to repeal sections 260.965 and 414.072, RSMo, and to enact in lieu thereof four new sections relating to environmental protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 188**, entitled:

An act to repeal sections 213.010, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof five new sections relating to unlawful discriminatory practices.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 207**, entitled:

An act to repeal section 386.850, RSMo, relating to the Missouri energy task force.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 219**, entitled:

An act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof two new sections relating to international transactions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 284**, entitled:

An act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENTS

March 10, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Gail McCann Beatty from the Committee on Financial Institutions and appoint Representative Clem Smith.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

March 10, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Gail McCann Beatty from the Committee on Tax Reform and appoint Representative Karla May.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, March 14, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 653, HB 746

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, March 16, 2011, 6:00 PM

Dinner at 2125 Missouri Blvd., Jefferson City, MO.

BUDGET

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13

BUDGET

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 14, 2011, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 540

Executive session may be held on any matter referred to the committee.

Meeting time changed from 1:00 AM to 1:00 PM.

CORRECTED

ELECTIONS

Tuesday, March 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 33, HB 72, HB 39

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, March 15, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

HEALTH INSURANCE

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 528, HB 666, HB 676

Executive session will be held: HB 270

Executive session may be held on any matter referred to the committee.

HB 270 Reconsider for Consent.

INSURANCE POLICY

Monday, March 14, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 523, HB 687, HB 696, HB 701

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, March 14, 2011, 3:45 PM House Hearing Room 1.

Executive session will be held: HB 401, HB 423, HCS HB 475, HCS HB 546, HB 731

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 742

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 14, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 557, HB 558, HB 561, HB 562, HB 630, HB 631

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, March 14, 2011, 1:30 PM House Hearing Room 3.

Prop C Work Group.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 15, 2011, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 613

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 520, HB 581

Executive session will be held: HB 36, HB 335, HB 425, HB 740

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 15, 2011, South Gallery upon morning adjournment or recess.

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 14, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 738, HB 667, HB 660, HB 643

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 15, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HB 673, HJR 30

Executive session may be held on any matter referred to the committee.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 32

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-EIGHTH DAY, MONDAY, MARCH 14, 2011

HOUSE BILLS FOR SECOND READING

HB 828 through HB 848

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HJR 6 - Cierpiot
- 3 HJR 29 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 213, as amended, HA 3, pending - Jones (89)
- 3 HCS HB 131 - Cox
- 4 HB 434 - Nolte
- 5 HCS HB 29 - Sater
- 6 HCS HB 89 - Pollock
- 7 HB 252 - Cox
- 8 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle
- 9 HB 361 - Leara
- 10 HCS HBs 411 & 421 - Wyatt
- 11 HCS HB 431 - Franz

HOUSE BILLS FOR PERFECTION - CONSENT

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 83 - Nolte
- 2 HB 109, E.C. - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka

- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

SENATE BILLS FOR SECOND READING

- 1 SB 61
- 2 SB 63
- 3 SS SCS SBs 113 & 95
- 4 SS SB 135
- 5 SCS SB 188
- 6 SB 207
- 7 SCS SB 219
- 8 SB 284

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, MONDAY, MARCH 14, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

The songwriter reminds us that *Great are the works of the LORD; They are studied by all who delight in them. Splendid and majestic is His work, and His righteousness endures forever. He has made His wonders to be remembered; the LORD is gracious and compassionate. (Psalm 111:2-4)*

O Lord, we pray today that in Your wisdom and goodness that You will raise up for us...

...people like Queen Esther, who understood that her appointment was in accordance to Your will and thus brought great responsibility;

...people like Daniel, who as counselor of the king, spoke truth to him even though it was contrary to the king's desires;

...people like King David, who was a man after Your own heart;

...people like King Solomon, who desired wisdom to lead over Your people;

...people like King Manasseh, who, in spite of his sin, repented of his sins and found Your amazing grace;

...people like Samuel the prophet, who warned the people about having a dependence upon their leaders instead of upon You;

...people like King Josiah, who did what was right in Your eyes and led the nation in following after the things which please You;

...people like the three Hebrew boys, counselors of the king, who feared God more than they feared the king.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1138 through House Resolution No. 1173

HOUSE CONCURRENT RESOLUTION

Representative Kelley (126), et al., offered House Concurrent Resolution No. 47.

SECOND READING OF HOUSE BILLS

HB 828 through **HB 848** were read the second time.

SECOND READING OF SENATE BILLS

SB 61, SB 63, SS SCS SBs 113 & 95, SS SB 135, SCS SB 188, SB 207, SCS SB 219, and SB 284 were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 213, as amended, with House Amendment No. 3, pending, relating to abortions, was taken up by Representative Jones (89).

House Amendment No. 3 was withdrawn.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Stream	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 007

Burlison	Dieckhaus	Nolte	Smith 71	Thomson
Webb	Zimmerman			

VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 213, as amended**, was adopted by the following vote:

AYES: 120

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Hughes	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Burlison	Dieckhaus	Nolte	Smith 71	Webb
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VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 213, as amended**, was ordered perfected and printed.

Speaker Tilley assumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 6, relating to the right to vote by secret ballot, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **HJR 6** was ordered perfected and printed by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Zerr	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 004

Burlison	Dieckhaus	Nolte	Webb
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VACANCIES: 001

PERFECTION OF HOUSE BILLS

HCS HB 29, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 29** was adopted.

On motion of Representative Sater, **HCS HB 29** was ordered perfected and printed.

HCS HB 89, relating to funding for natural resources, was taken up by Representative Pollock.

Representative Ruzicka offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 89, Page 2, Section 253.090, Line 18, by inserting immediately after the number “2.” the following:

“Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. 3.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 89, Page 1, Line 3, by deleting on Line 3 the word "Remaining"; and

Further amend said bill by deleting all of Lines 4 and 5; and

Further amend said bill by adding the following:

"Received from the Taum Sauk Settlement Fund".

Representative Kelly (24) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Ruzicka, **House Amendment No. 1** was adopted.

On motion of Representative Pollock, **HCS HB 89, as amended**, was adopted.

On motion of Representative Pollock, **HCS HB 89, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 213 - Fiscal Review (Fiscal Note)

HB 748 - General Laws

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SBs 113 & 95 - Agriculture Policy

COMMITTEE REPORTS

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 192**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 475**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 546**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 731**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 229**, **HB 282**, **HCS HB 315**, **HB 358**, **HB 360**, **HCS HB 459**, and **HCS HB 465**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 849, introduced by Representative Cookson, relating to the school calendar.

HB 850, introduced by Representatives Diehl and Richardson, relating to the Missouri cooperative associations act.

HB 851, introduced by Representatives Cross, Riddle, Lichtenegger, Richardson, Zerr, Nance, Lauer, Brown (116), McCaherty, Black, Jones (63), Nasheed, Allen, Schneider, Long, Houghton, Fitzwater and McNeil, relating to tanning facilities.

HB 852, introduced by Representatives Fitzwater and Hampton, relating to a special license plate.

HB 853, introduced by Representatives Nance and Nolte, relating to a sales tax for community centers.

HB 854, introduced by Representatives McGeoghegan, Hummel, Colona, Rizzo, McCann Beatty, Oxford, Anders, Walton Gray, Black, Schupp, Smith (71), Hodges, Kratky, Fallert, Quinn, Meadows, Kelly (24), Aull, Atkins, Schieffer, Shively, Talboy, Swinger, Kirkton, Casey, McDonald, Conway (27), Carter, Ellinger, McNeil, Pace, Jones (63), Brown (50), Montecillo, Sifton, Lasater and Lant, relating to an emergency contact database.

HB 855, introduced by Representative Johnson, relating to establishment of the parents as teachers advancement fund.

HB 856, introduced by Representatives Dugger, Pollock, Entlicher, Diehl, Schoeller, Smith (150), Curtman, Funderburk, Jones (89), Allen, Cauthorn, Koenig, Houghton, Wells, Franz, Fraker, Cox, Crawford and Lichtenegger, relating to initiative and referendum petitions.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 15, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 653, HB 746

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, March 16, 2011, 6:00 PM

Dinner at 2125 Missouri Blvd., Jefferson City, MO.

BUDGET

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

BUDGET

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

CHILDREN AND FAMILIES

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 749, HB 755, HB 795

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 16, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 538, HB 539

Executive session may be held on any matter referred to the committee.

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 691, HB 692, HB 693

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Wednesday, March 16, 2011, South Gallery upon afternoon adjournment.

Executive session will be held: HB 657, HB 697

ECONOMIC DEVELOPMENT

Tuesday, March 15, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 536, HB 783, HB 671, HB 734

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 33, HB 72, HB 39

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 463

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, March 15, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Wednesday, March 16, 2011, House Hearing Room 7, 4:00 PM or upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

GENERAL LAWS

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HCR 42, HJR 26

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 580, HB 392, HCR 37, HB 418, HB 579

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 528, HB 666, HB 676, HB 318, HB 552, HB 669

Executive session will be held: HB 270

Executive session may be held on any matter referred to the committee.

HB 270 Reconsider for Consent.

AMENDED

LOCAL GOVERNMENT

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 447, HB 647

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 15, 2011, South Gallery, 5:00 PM or upon evening adjournment.

Executive session may be held on any matter referred to the committee.

Executive session.

CORRECTED

RETIREMENT

Thursday, March 17, 2011, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session will be held: HB 664

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, March 16, 2011, 6:30 PM 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee Dinner.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 742

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 15, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 267

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

AMENDED

TAX REFORM

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 520, HB 581

Executive session will be held: HB 36, HB 335, HB 425, HB 740

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 689, HB 684, HB 798, HB 812, HB 813, HB 825, HB 527, HB 735

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 15, 2011, South Gallery, upon morning adjournment or recess.

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 210, HB 711

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 15, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HB 673, HJR 30

Executive session may be held on any matter referred to the committee.

AMENDED

HOUSE CALENDAR

THIRTY-NINTH DAY, TUESDAY, MARCH 15, 2011

HOUSE BILLS FOR SECOND READING

HB 849 through HB 856

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 14 - Cox

2 HJR 29 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HB 329 - Diehl

2 HCS HB 131 - Cox

3 HB 434 - Nolte

4 HB 252 - Cox

5 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle

6 HB 361 - Leara

612 *Journal of the House*

- 7 HCS HBs 411 & 421 - Wyatt
- 8 HCS HB 431 - Franz
- 9 HB 423 - Burlison
- 10 HCS HB 475 - Funderburk
- 11 HCS HB 546 - Diehl
- 12 HB 731 - Parkinson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

HCS HB 213, (Fiscal Review 3-14-11) - Jones (89)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 83 - Nolte
- 2 HB 109, E.C. - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher

- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz
- 21 HB 229 - Leara
- 22 HB 282 - Franz
- 23 HCS HB 315 - McNary
- 24 HB 358 - Leara
- 25 HB 360 - Leara
- 26 HCS HB 459 - Denison
- 27 HCS HB 465 - Wells

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

THIRTY-NINTH DAY, TUESDAY, MARCH 15, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Teach me to do Your will, for You art my God: Your spirit is good; lead me into the land of uprightness.
(Psalm 143:10)*

On this Ides of March O Eternal God, Who is ever pouring out Your spirit upon Your people, we thank You for all those in every age who have opened their hearts to You, for men and women who have dreamed great dreams, seen wonderful visions, and who possessed courage to stand firm for what is right and good for all.

For those who trust in truth amid lies; who stand for justice amid injustice; who walk in good ways amid evil times; who quietly work for unity even when people are splintered; who possess a vision of life with You at the center even when Your presence is denied - we thank You, O God. By Your Spirit help us to be in this number of these great and good people. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chaz Fursman, Rebecca Collins, Elise Collins, Ian Collins, Michael Elmer, Logan Elmer, Nathan Elmer, Andrew Guydos, Sally Williams, Anna Williams, Caroline Pryor, Nathan Murfin, Nick Murfin, Marissa Murfin and Skylar Wilson.

The Journal of the thirty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1174 through House Resolution No. 1218

SECOND READING OF HOUSE BILLS

HB 849 through **HB 856** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 213** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Allen assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 431, relating to foster care and adoption, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 431, Page 5, Section 210.112, Line 108, by deleting the word “**exclusively**” on said line; and

Further amend said bill, Page 7, Section 210.565, Line 29, by inserting at the end of said line the following:

“5. Recognizing the critical nature of sibling bonds for children, the children's division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children's division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Franz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 431, Page 7, Section 210.565, Line 38, by deleting the word “**shall**” on said line and inserting in lieu thereof the word “**may**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 2** was adopted.

Representative Pace offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 431, Page 7, Section 210.565, Lines 19-22, by deleting all of said lines and inserting in lieu thereof the following:

“child; and

(3) Any foster parent who is currently licensed and capable of accepting placement of the child.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pace, **House Amendment No. 3** was adopted.

On motion of Representative Franz, **HCS HB 431, as amended**, was adopted.

On motion of Representative Franz, **HCS HB 431, as amended**, was ordered perfected and printed.

Speaker Pro Tem Schoeller resumed the Chair.

HCS HBs 411 & 421, relating to residents of disability facilities, was taken up by Representative Wyatt.

HCS HBs 411 & 421, was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 29, relating to a veterans lottery ticket, was taken up by Representative Solon.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 29, Page 2, Section 39(b), Line 19, by striking the word “**money**” and inserting in lieu thereof the following “**net proceeds**”; and

Further amend said line by inserting immediately after the word “**deposited**” the word “**solely**”; and

Further amend said section, Line 21, by striking the first occurrence of the word “The” on said line and inserting in lieu thereof the following “**Except as provided in subsection 2 of Section 39(b), the**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

HJR 29, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kylie Swearingen and Grant Baker.

PERFECTION OF HOUSE BILL

HCS HBs 411 & 421, relating to residents of disability facilities, was again taken up by Representative Wyatt.

Representative Aull moved that **HCS HBs 411 & 421** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

NOES: 104

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McNary	Molendorp	Nance
Nasheed	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey

Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Diehl	Dugger	Holsman	McGhee
Nolte	Swearingen	Zimmerman		

VACANCIES: 001

Speaker Pro Tem Schoeller resumed the Chair.

HCS HBs 411 & 421 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 29, as amended, relating to a veterans lottery ticket, was again taken up by Representative Solon.

On motion of Representative Solon, **HJR 29, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 131, relating to dog breeders, was taken up by Representative Cox.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 131, Page 2, Section 273.345, Line 30, by inserting directly after the word “veterinarian,” the following:

“guidance from a licensed veterinarian on preventative care, an exercise plan that has been approved by a licensed veterinarian, normal and prudent attention to skin, coat, and nails,”; and

Further amend said bill, page, and section, Line 31, by deleting the word **“serious”**; and

Further amend said, bill, page, section, and line, by placing brackets “[]” around the words “by a licensed veterinarian”; and

Further amend said bill, and section, Page 3, Line 32, by deleting the brackets “[]” around the words “by a licensed veterinarian”; and

Further amend said bill, page, and section, Line 33, by inserting after the word “Association” the following:

“ If, during the course of a routine personal visual inspection, the licensed veterinarian detects signs of disease or injury, then a physical examination of any such afflicted dog shall be conducted by a licensed veterinarian”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 131, Page 3, Section 273.345, Line 57, by inserting after the word “**species**” the following:

“, with no interval to exceed eight hours”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 014

Carlson	Colona	Jones 63	Kelly 24	Marshall
May	McCann Beatty	McGeoghegan	Montecillo	Pierson
Rizzo	Smith 71	Talboy	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Webber	Zimmerman
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VACANCIES: 001

Representative Wells offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 131, Page 3, Section 273.345, Lines 62-65, by deleting all of said lines and insert in lieu thereof the following:

“eighty-five degrees Fahrenheit] , the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips

621 *Journal of the House*

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Nolte	Schneider	Stream	Zimmerman
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VACANCIES: 001

On motion of Representative Wells, **House Amendment No. 3** was adopted by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nichols	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Still	Swearingen	Swinger	Taylor	Thomson

Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 032

Anders	Atkins	Brown 50	Carlson	Colona
Ellinger	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Oxford	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Solon	Spreng	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Stream	Zimmerman
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VACANCIES: 001

HCS HB 131, as amended, was laid over.

Speaker Tilley resumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 83, relating to automated teller machine surcharges, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 83** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May

McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schamhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Hoskins	Nasheed	Nolte	Schad
Schieffer	Talboy	Thomson	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 109, relating to a linked deposit program, was taken up by Representative Wells.

On motion of Representative Wells, **HB 109** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker

Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Franz	Nolte	Schad	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

625 *Journal of the House*

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Schad	Zimmerman
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VACANCIES: 001

HB 137, relating to a transfer of property by universities, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 137** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schamhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Brown 50	Nolte	Schad	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 142, relating to auditors in charter counties, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 142** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Nolte	Ruzicka	Schad	Webb
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 149, relating to the Missouri Family Relief Fund, was taken up by Representative Day.

On motion of Representative Day, **HB 149** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schamhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Brown 50	Nolte	Ruzicka	Schad
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 151, relating to donations to the Organ Donor Program Fund, was taken up by Representative Kelly (24).

On motion of Representative Kelly (24), **HB 151** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Schad	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 153, relating to a highway designation, was taken up by Representative Black.

On motion of Representative Black, **HB 153** was read the third time and passed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Barnes Nolte Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 171, relating to third class city primary elections, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 171** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Talboy	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 184, relating to commissioners of road districts, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 184** was read the third time and passed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Barnes Nolte Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 186, relating to county clerk residency requirements, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **HB 186** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Riddle	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 189, relating to coolers on rivers and waterways, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 189** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McNary
Meadows	Nance	Nasheed	Neth	Nichols
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 020

Atkins	Carter	Ellinger	Holsman	Kander
Kelly 24	May	McManus	McNeil	Montecillo
Newman	Oxford	Pace	Peters-Baker	Pierson
Sifton	Smith 71	Spreng	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes Molendorp Nolte Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 190, relating to state department cash transactions, was taken up by Representative Ruzicka.

HB 190 was laid over.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 6 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 89 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 746**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 407**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 499**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 667**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 303** and **HB 239**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 557**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 561**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 556**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 562**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 648**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 857, introduced by Representative Stream, relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses.

HB 858, introduced by Representatives Hampton, Richardson, Smith (150), Lichtenegger, Wright, Wallingford, Day, Weter, Thomson, Fitzwater and Redmon, relating to major water users.

HB 859, introduced by Representatives Ellinger, Swearingen, Quinn, Pace, Black, Smith (71), Pierson and Walton Gray, relating to cigarette taxes.

HB 860, introduced by Representative Hinson, relating to intoxicated-related traffic offenses.

HB 861, introduced by Representative Zerr, relating to tax increment financing.

HB 862, introduced by Representatives Brown (50), Nasheed, Carter, Webb, Newman, May, Jones (63), Taylor, Nichols, Ellinger, Smith (71), Hughes, Colona, Holsman, Hodges and McCann Beatty, relating to the Missouri universal health assurance program.

HB 863, introduced by Representative Frederick, relating to the prompt credentialing act.

HB 864, introduced by Representatives Kander and Webber, relating to financial interest statements.

COMMUNICATIONS

March 15, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Clem Smith from the Committee on Financial Institutions and appoint Representative Mary Still.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

March 15, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Karla May from the Committee on Tax Reform and appoint Representative Clem Smith.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

WITHDRAWAL OF HOUSE BILL

March 15, 2011

D. Adam Crumbliss, Chief Clerk
Capitol Building
Room 307B
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request a withdrawal of **House Bill No. 801** filed on March 9, 2011.

Sincerely,

/s/ Mary Nichols
District 79

The following members' presence was noted: Barnes and Zimmerman.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 16, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: SS SCS SBs 113 & 95
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, March 16, 2011, 6:00 PM
Dinner at 2125 Missouri Blvd., Jefferson City, MO.

BUDGET

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Bills to be considered: HCS House Bills 1 through 13.
CANCELLED

CHILDREN AND FAMILIES

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 749, HB 755, HB 795
Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 16, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 538, HB 539

Executive session may be held on any matter referred to the committee.

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 691, HB 692, HB 693

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, March 17, 2011, House Hearing Room 4 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Executive session.

DOWNSIZING STATE GOVERNMENT

Wednesday, March 16, 2011, South Gallery upon afternoon adjournment.

Executive session will be held: HB 657, HB 697

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 463

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, March 16, 2011, House Hearing Room 6.

5:00 PM or upon afternoon adjournment, whichever is later.

Public hearing will be held: HB 661, HB 787

Executive session will be held: HB 550, HB 656, HB 661, HB 787, HB 132

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, March 16, 2011, House Hearing Room 7, 4:00 PM or upon afternoon adjournment.

Public hearing will be held: HCS HB 89, HJR 6

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 580, HB 392, HCR 37, HB 418, HB 579

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HJR 31, HB 396, HB 402, HB 680, HB 708, HB 398, HB 399

Executive session may be held on any matter referred to the committee.

AMENDED

LOCAL GOVERNMENT

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 447, HB 647

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 16, 2011, House Hearing Room 5.

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 632, HB 732

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 17, 2011, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session will be held: HB 664

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, March 16, 2011, North Gallery upon morning adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

CANCELLED

RULES

Wednesday, March 16, 2011, 6:30 PM 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee Dinner.

CANCELLED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 16, 2011, North Gallery upon morning adjournment.

Executive session will be held: HCS HJR 8, HB 364, HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

House Resolutions for Chamber Use to be approved.

AMENDED

SMALL BUSINESS

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 403, HB 63, HB 322, HB 644

Executive session will be held: HB 386

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 520, HB 581

Executive session will be held: HB 36, HB 335, HB 425, HB 740

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 17, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 428

Executive session will be held: HCR 31, HCR 39, HB 182

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 17, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: HB 662

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 17, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 292, HB 346, HB 571

HOUSE CALENDAR

FORTIETH DAY, WEDNESDAY, MARCH 16, 2011

HOUSE BILLS FOR SECOND READING

HB 857 through HB 864

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HB 252 - Cox

- 5 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle
- 6 HB 361 - Leara
- 7 HCS HBs 411 & 421 - Wyatt
- 8 HB 423 - Burlison
- 9 HCS HB 475 - Funderburk
- 10 HCS HB 546 - Diehl
- 11 HB 731 - Parkinson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 6, (Fiscal Review 3-15-11) - Cierpiot

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 213 - Jones (89)
- 2 HCS HB 29 - Sater
- 3 HCS HB 89, (Fiscal Review 3-15-11), E.C. - Pollock

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 127 - Barnes
- 2 HB 190 - Ruzicka
- 3 HB 204 - Hoskins
- 4 HB 217 - Dugger
- 5 HCS HB 250 - Cox
- 6 HCS HB 338 - Pollock
- 7 HCS HB 363 - Colona
- 8 HB 415 - Richardson
- 9 HB 442 - Franz
- 10 HB 229 - Leara
- 11 HB 282 - Franz
- 12 HCS HB 315 - McNary
- 13 HB 358 - Leara
- 14 HB 360 - Leara
- 15 HCS HB 459 - Denison
- 16 HCS HB 465 - Wells

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTIETH DAY, WEDNESDAY, MARCH 16, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

If any man walks in the day, he does not stumble because he sees the light of this world. (John 11:9)

Almighty God, our Creator, Whose mercy is from everlasting to everlasting and Whose truth endures forever, in all humility and reverence we bow in Your presence offering unto You once again the devotion of our minds and hearts.

Amid all the traffic of our ways, turmoils without, within, make in our hearts a quiet place and come and dwell therein. Sure of Your presence may we face the tasks of this day with a dauntless courage, a quiet faith and with a never failing good will.

In the struggle between light and darkness in our time may we walk in the light and live in the light that we and our state may continue to be the light of the nation.

We lift up Representative Sylvester Taylor in our prayers. May the Lord continue to heal him and give him and his family peace and comfort. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sydney Rackers, Makayla Jordan and Jackson Lehr.

The Journal of the thirty-ninth day was approved as printed.

SPECIAL RECOGNITION

The Brookfield R-III High School Wrestling Team was introduced by Representative Shively and recognized for attaining the 2010-2011 Class 1 State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1219 through House Resolution No. 1235

HOUSE CONCURRENT RESOLUTION

Representative Schatz, et al., offered House Concurrent Resolution No. 48.

SECOND READING OF HOUSE BILLS

HB 857 through **HB 864** were read the second time.

Speaker Tilley assumed the Chair.

PERFECTION OF HOUSE BILLS

HB 731, relating to reporting of certain illegal aliens, was taken up by Representative Parkinson.

Representative Allen assumed the Chair.

On motion of Representative Parkinson, **HB 731** was ordered perfected and printed.

HB 252, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Speaker Tilley resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman

Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb	Webber	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Berry	Jones 117	Nolte	Schneider	Taylor
Wright				

VACANCIES: 001

On motion of Representative Cox, **HB 252** was ordered perfected and printed.

HCS HBs 294, 123, 125, 113, 271 & 215, relating to firearms, was taken up by Representative Riddle.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 4, Section 571.030, Line 52, by inserting after, "Section 44.921" the words:

"whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Marshall offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 19, Section 571.117, Line 102, by inserting immediately after all of said line the following:

"Section 1. No political subdivision shall enact or enforce any order or ordinance that prohibits the use of pneumatic guns at facilities approved for shooting ranges, on other property where firearms may be discharged, or on or within private property with permission of the owner or legal possessor thereof when conducted with reasonable care to prevent a projectile from crossing the bounds of the property."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 4, Section 571.030, Line 57, by inserting brackets “[]” around the word “and” on said line; and

Further amend said page and section, Line 60, by deleting all of said line and inserting in lieu thereof the following:

“subsection 2 of section 571.111[.]; and

(11) Any member of a fire department, who is employed on a full-time basis as a fire investigator and who has met the training requirements for a concealed carry endorsement under section 571.111.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Redmon offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 19, Section 571.117, Line 102, by inserting after all of said line the following:

“Section 1. The attorney general of the state of Missouri may establish a public website that publishes the names of municipalities and counties who do not allow the open carry of firearms. Such municipalities and counties, may forward their ordinances to the attorney general on their own volition.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 4** was adopted.

HCS HBs 294, 123, 125, 113, 271 & 215, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILL

HCS HBs 294, 123, 125, 113, 271 & 215, as amended, relating to firearms, was again taken up by Representative Riddle.

Representative Gatschenberger assumed the Chair.

Representative Oxford offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 8, Section 571.101, Line 15, by deleting the phrase “**twenty-one**” and inserting in lieu thereof the phrase “**twenty-five**”; and

Further amend said bill, Page 9, Section 571.101, Line 57, by deleting the phrase “**twenty-one**” and inserting in lieu thereof the phrase “**twenty-five**”; and

Further amend said bill, Page 17, Section 571.117, Line 30, by deleting the phrase “**twenty-one**” and inserting in lieu thereof the phrase “**twenty-five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Funderburk offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 1, Line 3, by deleting the phrase “**twenty-five**” and inserting in lieu thereof the phrase “**eighteen**”; and

Further amend said amendment, Line 6, by inserting the phrase “**twenty-five**” and inserting in lieu thereof the phrase “**eighteen**”; and

Further amend said amendment, Line 9, by deleting the phrase “**twenty-five**” and inserting in lieu thereof the phrase “**eighteen**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber

Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Fuhr	Meadows	Nolte	Taylor
Webb				

VACANCIES: 001

On motion of Representative Funderburk, **House Amendment No. 1 to House Amendment No. 5** was adopted.

House Amendment No. 5, as amended, was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Walton Gray	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Kelly 24	Meadows	Nolte	Taylor
Webb	Webber			

VACANCIES: 001

On motion of Representative Riddle, **HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, was adopted.

On motion of Representative Riddle, **HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, was ordered perfected and printed.

Representative Silvey assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 190, relating to state department cash transactions, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 190** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan

Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Diehl	Hughes	Loehner
Meadows	Nolte	Schad	Taylor	Webb

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 204, relating to driver's license renewals, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 204** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton

Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Day	Diehl	Meadows	Nolte
Schad	Taylor	Webb		

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 250, relating to water well regulations, was taken up by Representative Cox.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Redmon

655 *Journal of the House*

Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Cauthorn	Day	McGhee	Meadows
Nolte	Schad	Taylor	Mr Speaker	

VACANCIES: 001

On motion of Representative Cox, **HCS HB 250** was read the third time and passed by the following vote:

AYES: 117

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Stream
Swearingen	Swinger	Thomson	Torpey	Wallingford

Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 036

Atkins	Brown 50	Carlson	Carter	Colona
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Korman	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Talboy	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Cauthorn	Day	Ellinger	Meadows
Nolte	Schad	Taylor	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 217, relating to electronic voter identification, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 217** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Laur	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad

Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Day	Lampe	Loehner	Meadows
Nolte	Taylor			

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 338, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 338** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McNary	Molendorp	Nance	Nasheed	Neth
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 020

Carlson	Ellinger	Hughes	Kander	Kirkton
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Peters-Baker	Pierson	Schupp
Sifton	Spreng	Still	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Day	Funderburk	Holsman	Lasater
McGhee	Meadows	Nolte	Taylor	

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 363, relating to a memorial highway, was taken up by Representative Colona.

On motion of Representative Colona, **HCS HB 363** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Day	Funderburk	Lasater	McGhee
Meadows	Nolte	Taylor		

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 415, relating to a memorial highway, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 415** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Day	Ellinger	Funderburk	Lasater
Meadows	Nolte	Swearingen	Talboy	Taylor
Wright				

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 442, relating to veteran preference for contracts, was taken up by Representative Franz.

On motion of Representative Franz, **HB 442** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown 116	Day	Funderburk	McNary
Meadows	Nolte	Taylor	Torpey	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 229, relating to the Kansas City School Retirement System, was taken up by Representative Leara.

On motion of Representative Leara, **HB 229** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Day	Funderburk	Meadows	Nolte
Taylor	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 282, relating to state employee deferred compensation, was taken up by Representative Franz.

On motion of Representative Franz, **HB 282** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 007

Bahr	Burlison	Dugger	Lasater	Marshall
Parkinson	Pollock			

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Funderburk	Higdon	Meadows
Molendorp	Nasheed	Nolte	Redmon	Reiboldt
Taylor	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 315, relating to multiple versions of state statutes, was taken up by Representative McNary.

On motion of Representative McNary, **HCS HB 315** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Diehl	Funderburk	Meadows
Nasheed	Nolte	Swinger	Taylor	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 358, relating to the St. Louis Police retirement system, was taken up by Representative Leara.

On motion of Representative Leara, **HB 358** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Brown 50	Day	Funderburk	Meadows
Nolte	Pierson	Taylor	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 360, relating to local government employee retirement, was taken up by Representative Leara.

On motion of Representative Leara, **HB 360** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Denison	Funderburk	Meadows
Nasheed	Nolte	Pollock	Taylor	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 459, relating to a memorial bridge, was taken up by Representative Denison.

On motion of Representative Denison, **HCS HB 459** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 116	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 022

Bahr	Brown 85	Cauthorn	Conway 14	Cookson
Fisher	Fuhr	Guernsey	Haefner	Hinson
Houghton	Klippenstein	Kratky	Lair	Lasater
Marshall	Nichols	Schad	Schatz	Still
Wyatt	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Diehl	Funderburk	Meadows
Nolte	Reiboldt	Talboy	Taylor	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 465, relating to credit unions, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 465** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nasheed	Neth	Nichols
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Franz	Funderburk
Meadows	Nance	Newman	Nolte	Still
Taylor	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

PERFECTION OF HOUSE BILL

HB 361, relating to the Missouri Firearms Freedom Act, was taken up by Representative Leara.

On motion of Representative Leara, **HB 361** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 29 - Tourism and Natural Resources

HCR 47 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HJR 29 - Fiscal Review (Fiscal Note)

HCS HB 431 - Fiscal Review (Fiscal Note)

HB 74 - Children and Families

HB 185 - Agriculture Policy

HB 249 - Tourism and Natural Resources

HB 298 - Ways and Means

HB 371 - Corrections

HB 375 - Elections

HB 377 - Elections

HB 382 - Elections

HB 436 - Elections

HB 509 - Children and Families

HB 518 - Transportation

HB 572 - General Laws

HB 597 - Tourism and Natural Resources

HB 598 - Utilities

HB 599 - Crime Prevention and Public Safety

HB 623 - Crime Prevention and Public Safety

HB 686 - General Laws

HB 688 - Utilities

HB 690 - Health Care Policy
HB 714 - Transportation Funding and Public Institutions
HB 718 - Judiciary
HB 719 - Tax Reform
HB 728 - Crime Prevention and Public Safety
HB 729 - Professional Registration and Licensing
HB 730 - Crime Prevention and Public Safety
HB 739 - Children and Families
HB 743 - Crime Prevention and Public Safety
HB 750 - Utilities
HB 751 - Professional Registration and Licensing
HB 753 - Local Government
HB 754 - Urban Issues
HB 757 - Local Government
HB 758 - Local Government
HB 762 - Health Insurance
HB 765 - Elementary and Secondary Education
HB 766 - Elementary and Secondary Education
HB 790 - Crime Prevention and Public Safety
HB 791 - Crime Prevention and Public Safety
HB 792 - Transportation Funding and Public Institutions
HB 796 - Elections
HB 797 - Agriculture Policy
HB 802 - Crime Prevention and Public Safety
HB 814 - Transportation
HB 818 - Transportation
HB 820 - Transportation
HB 823 - Tourism and Natural Resources
HB 827 - Professional Registration and Licensing
HB 828 - Workforce Development and Workplace Safety
HB 829 - Elementary and Secondary Education
HB 831 - Professional Registration and Licensing
HB 832 - Professional Registration and Licensing
HB 837 - Corrections
HB 838 - Health Care Policy
HB 842 - Tourism and Natural Resources
HB 843 - Ways and Means
HB 847 - Agri-Business
HB 851 - Health Care Policy
HB 858 - Utilities
HB 860 - Crime Prevention and Public Safety
HB 861 - Economic Development

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 61 - General Laws

SB 63 - Utilities

SB 174 - General Laws

SCS SB 188 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 6** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 29** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 89** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 431** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 749**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 795**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 37

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-Sixth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives and Senate encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 101**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 161**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 327**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 675**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 305**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 740**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 798**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 812**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 825**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 548**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SJR 2**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 3**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 865, introduced by Representatives Johnson, Jones (117), Fraker, Redmon, Klippenstein, Torpey, Schoeller, Houghton and Higdon, relating to motorcycle protective headgear.

HB 866, introduced by Representatives Newman, Kirkton, McNeil, Spreng, Kelly (24), Carlson, Jones (63), McDonald, Peters-Baker, Walton Gray, Atkins, Still, Schupp, Hodges, Carter, Rizzo, McGeoghegan, Oxford, Lampe, May and Kratky, relating to domestic violence.

HB 867, introduced by Representatives Barnes and Webber, relating to the Missouri biosciences eminent scholars program.

HB 868, introduced by Representative Meadows, relating to highway lane usage.

HB 869, introduced by Representative Meadows, relating to the use of hand-held electronic communications devices by persons operating motor vehicles for compensation while transporting passengers.

HB 870, introduced by Representatives Smith (71), McNeil, Kirkton, Webb, Schupp, Lampe, Walton Gray, Pace, Newman, Still, Colona, Montecillo, Sifton, Pierson, Nichols, McGeoghegan, Kelly (24), Nasheed, Atkins, Zimmerman, Webber, Curls, Carlson, McDonald, Rizzo, Jones (63), May, Carter, Oxford, Taylor, McCann Beatty, Aull, Brown (50), Ellinger, Hubbard, Peters-Baker, Hughes, Talboy, Spreng and Holsman, relating to instruction in human sexuality and sexually transmitted diseases.

HB 871, introduced by Representatives Fitzwater, Barnes, Fraker, Oxford and Leach, relating to state employee performance reviews.

HB 872, introduced by Representatives Houghton, Redmon, Schatz, Johnson, Korman, Grisamore, Curtman and Guernsey, relating to transparency in state contracts.

HB 873, introduced by Representatives Wyatt and Franklin, relating to the Missouri sustainable local food policy council.

HB 874, introduced by Representatives Grisamore, Kander, Peters-Baker, Higdon, Fitzwater, White, Lichtenegger, Newman, Kelly (24), Nance, Black, Jones (63) Houghton, Torpey, Oxford, Fuhr, Ellinger, Stream, Phillips, Wright, Long, Lauer, Flanigan, McNary, Scharnhorst, Diehl, Riddle, Lampe, Jones (117), Jones (89), Cierpiot, Weter, Solon, Cross, Gatschenberger, Richardson, Zerr, Zimmerman, Funderburk, Lasater, Hoskins, Schad, Denison, McCaherty, Carter, McGhee, Wells, Schoeller, Davis, Wieland, Reiboldt, Lant, Brown (85), Barnes, White, Crawford, Parkinson, Berry, Webber, Swinger, Frederick, Talboy and Taylor, relating to orders of protection.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 17, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, March 17, 2011, House Hearing Room 4 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Executive session.

HEALTH INSURANCE

Thursday, March 17, 2011, South Gallery 30 minutes following morning adjournment.

Executive session will be held: HB 609

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 17, 2011, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session will be held: HB 664

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, March 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session will be held: HCS HB 1, HCS HB 2, HCS HB 3, HCS HB 4, HCS HB 5, HCS HB 6, HCS HB 7, HCS HB 8, HCS HB 9, HCS HB 10, HCS HB 11, HCS HB 12, HCS HB 13

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, March 17, 2011, House Hearing Room 7 upon morning adjournment.

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 17, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 31, HCR 39, HB 428, HB 182

Executive session will be held: HCR 31, HCR 39, HB 182

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Thursday, March 17, 2011, 12:00 PM South Gallery.

Executive session will be held: HB 689

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 17, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: HB 662

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 17, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 292, HB 346, HB 571

HOUSE CALENDAR

FORTY-FIRST DAY, THURSDAY, MARCH 17, 2011

HOUSE BILLS FOR SECOND READING

HB 865 through HB 874

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HJR 6 - Cierpiot
- 2 HJR 29 - Solon

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 213 - Jones (89)
- 2 HCS HB 29 - Sater
- 3 HCS HB 89, E.C. - Pollock
- 4 HCS HB 431 - Franz
- 5 HB 731 - Parkinson
- 6 HB 252 - Cox
- 7 HCS HB 294, 123, 125, 113, 271 & 215 - Riddle
- 8 HB 361 - Leara

HOUSE BILLS FOR THIRD READING - CONSENT

HB 127 - Barnes

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIRST DAY, THURSDAY, MARCH 17, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He hath showed you, O man, what is good; and what doth the Lord require of you, but to do justly, and to love mercy, and to walk humbly with your God? (Micah 6:8)

O God, Whose will it is that we do justly, love mercy, and walk humbly with You, grant unto us as we wait upon You the confidence to do what we ought to do, the courage not to do what we ought not to do and the wisdom to see our way clearly.

Deliver us and our state from discord and disunity. May we find our concord and our unity in You. Give to each one of us the consciousness of Your presence, the continual strength of Your Spirit and the constant awareness of our duty to lead our people in the ways of freedom and justice and peace.

Help us to keep our faith in You, and may this faith keep us walking in the way of Your commandments all the days of our lives, and as we begin Spring Break on this St. Patrick's Day may all Irish eyes be smiling! And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jaynie Hunt, Coltin Griffin, Dallas Richardson, Lillie Hollomon, Payton Gibbens, Kayla Rodgers, Hayden Torpey, Dawson Torpey, Lauren Lloyd, Milena Fein, Ellie Dagnan, Ellie Cierpiot and Louis Cierpiot.

The Journal of the fortieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1236 through House Resolution No. 1323

HOUSE CONCURRENT RESOLUTIONS

Representative Atkins offered House Concurrent Resolution No. 49.

Representative Higdon, et al., offered House Concurrent Resolution No. 50.

SECOND READING OF HOUSE BILLS

HB 865 through **HB 874** were read the second time.

THIRD READING OF HOUSE BILL - CONSENT

HB 127, relating to the Sheriffs' Retirement System, was taken up by Representative Barnes.

On motion of Representative Barnes, **HB 127** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 002

Hughes Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Diehl	Holsman	Meadows	Nolte
Parkinson	Silvey	Taylor	Zerr	Mr Speaker

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HJR 6, relating to the right to vote by secret ballot, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **HJR 6** was read the third time and passed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	Webber
Zerr	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Flanigan	Meadows	Nolte	Parkinson	Taylor
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VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HJR 29, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 29** was read the third time and passed by the following vote:

AYES: 146

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Nance	Nasheed	Neth	Nichols
Oxford	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Stream	Swearingen	Swinger	Talboy	Thomson
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 011

Anders	Carlson	Colona	Ellinger	Kirkton
Montecillo	Newman	Spreng	Still	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows Nolte Parkinson Taylor Torpey

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 213, relating to abortions, was taken up by Representative Jones (89).

Representative Funderburk assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schieffer

683 *Journal of the House*

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

Meadows	Nolte	Parkinson	Quinn	Silvey
Taylor				

VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 213** was read the third time and passed by the following vote:

AYES: 119

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	Molendorp	Nance	Nasheed	Neth
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 038

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Hughes	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows	Nolte	Parkinson	Quinn	Taylor
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VACANCIES: 001

Representative Funderburk declared the bill passed.

HCS HBs 294, 123, 125, 113, 271 & 215, relating to firearms, was taken up by Representative Riddle.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

McGhee	Meadows	Nolte	Parkinson	Quinn
Taylor				

VACANCIES: 001

On motion of Representative Riddle, **HCS HBs 294, 123, 125, 271 & 215** was read the third time and passed by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGhee	McManus	McNary
Molendorp	Nance	Nasheed	Neth	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 033

Atkins	Carlson	Carter	Colona	Ellinger
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	Webb	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows	Nolte	Parkinson	Quinn	Taylor
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VACANCIES: 001

Representative Funderburk declared the bill passed.

HB 252, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 013

Entlicher	Faith	Hughes	Kelly 24	Meadows
Molendorp	Nolte	Parkinson	Quinn	Redmon
Sater	Taylor	Wright		

VACANCIES: 001

On motion of Representative Cox, **HB 252** was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Nasheed
Neth	Newman	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 038

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Hubbard	Hummel	Jones 63
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Hughes	Kelly 24	Meadows	Molendorp	Nolte
Quinn	Taylor			

VACANCIES: 001

Representative Funderburk declared the bill passed.

HB 731, relating to reporting of certain illegal aliens, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HB 731** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McGeoghegan	McGhee
McManus	McNary	Molendorp	Nance	Neth
Nichols	Parkinson	Peters-Baker	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 023

Atkins	Carlson	Carter	Colona	Hughes
Jones 63	Lampe	McCann Beatty	McDonald	Montecillo
Nasheed	Newman	Oxford	Pace	Pierson
Schupp	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Diehl	Kelly 24	McNeil	Meadows
Nolte	Quinn	Rowland	Taylor	

VACANCIES: 001

Representative Funderburk declared the bill passed.

HCS HB 431, relating to foster care and adoption, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 431** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Diehl	Kelly 24	Meadows	Nolte
Quinn	Taylor	Mr Speaker		

VACANCIES: 001

Representative Funderburk declared the bill passed.

HCS HB 89, relating to funding for natural resources, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 89** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman			

NOES: 001

Schupp

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Diehl	Kelly 24	Meadows
Nolte	Quinn	Taylor	Mr Speaker	

VACANCIES: 001

Representative Funderburk declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Brown 50	Day	Diehl	Hughes
Kelly 24	Meadows	Nolte	Pierson	Quinn
Scharnhorst	Taylor			

VACANCIES: 001

HCS HB 29, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 29** was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hughes	Hummel	Kander
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Day	Kelly 24	Meadows	Nolte
Quinn	Scharnhorst	Taylor		

VACANCIES: 001

Representative Funderburk declared the bill passed.

HB 361, relating to the Missouri Firearms Freedom Act, was taken up by Representative Leara.

On motion of Representative Leara, **HB 361** was read the third time and passed by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Kelly 24	Meadows	Nolte
Quinn	Taylor			

VACANCIES: 001

Representative Funderburk declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 840 - Economic Development

HB 856 - Elections

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 600**, **HB 337** and **HB 413**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 657**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 697**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 550**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 677**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States"; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$490 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only \$509,599 in FY 2009 and \$699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, LWCF State Assistance program has invested more than \$84,125,968 in Missouri since 1965 and has funded 1,275 projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation. This would provide \$6 million for Missouri's 2012 LWCF budget:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 39

WHEREAS, Grant's Farm is an extraordinary treasure for the entire state and is one of the premiere attractions for visitors coming to St. Louis from across the country and the world; and

WHEREAS, Grant's Farm takes its name from our 18th President of the United States, Ulysses S. Grant. In the 1850s, Grant founded and owned the 281 acres comprising Grant's Farm; and

WHEREAS, Grant's Farm averages over 550,000 visitors per year over the last six years and is a vital economic engine in St. Louis County; and

WHEREAS, Grant's Farm, operated by Anheuser-Busch, Inc., has been a St. Louis tradition for more than five decades, employing more than 200 people and has welcomed more than 24 million visitors during its history; and

WHEREAS, Grant's Farm is home to more than 900 animals representing more than 100 different species, including a zoo with more than 400 animals; and

WHEREAS, in the U.S. Family Guide Zagat Survey of more than 11,000 avid travelers, Grant's Farm ranked overall as the 7th best family attraction nationwide; and

WHEREAS, some of Grant's Farm's attractions include:

(1) Deer Park, home to a variety of exotic animal species from six of the seven continents of the world and a variety of fish in the several beautiful lakes throughout Deer Park;

(2) Tier Garten, which provides visitors with an up close look at an amazing variety of animals and which includes an amphitheater featuring educational and entertaining animal shows;

(3) Grant's Cabin, built on 80 acres received by Ulysses S. Grant and his new bride in 1848 as a wedding gift. In 1855, Grant did much of the log sawing and construction himself, completed the four-room, two-story cabin in just three days with the help of friends;

(4) The Bauernhof, the first building constructed on the Busch family estate which today is the home of the Busch family's world-renowned carriage collection and stables. Bauernhof is German for "farmstead";

(5) The Clydesdale Stables, home to one of the world's largest herd of Clydesdale horses with approximately 25 Clydesdale mares, geldings, stallions and foals. Only the finest Clydesdales from this stable become part of the Budweiser teams; and

WHEREAS, more than twenty local organizations and political subdivisions in the St. Louis County region have passed resolutions in support of incorporating Grant's Farm as a unit of the National Park Service; and

WHEREAS, to preserve this extraordinary treasure, Grant's Farm should be added as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly support the incorporation of, and urge the United States Department of the Interior to incorporate, Grant's Farm as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the Interior, Ken Salazar, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 711**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 38, HB 68, HB 98, HB 118, HB 183, HCS HBs 187 & 54, HB 263, HCS HB 287, HB 340, HCS HB 344, HB 462, HB 503 and HCS HB 578.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 875, introduced by Representatives Marshall, Silvey, Schieber, Nolte, Lasater, Kander, Cross, Molendorp, Grisamore, Peters-Baker, Swearingen, Neth, Anders, Hughes, Berry, Holsman, Torpey, Casey, Rizzo, Talboy, Brown (50), McManus, McCann Beatty, McDonald and Brattin, relating to prohibited activities in the Kansas City police department.

HB 876, introduced by Representative Fisher, relating to the public works projects.

HB 877, introduced by Representatives Berry, Holsman, Fitzwater and McGhee, relating to the interconnection of electric generating facilities with utilities.

HB 878, introduced by Representative Smith (150), relating to rulemaking authority of the board of trustees of the Missouri consolidated health care plan.

HB 879, introduced by Representative Franz, relating to the county employees' retirement system.

HB 880, introduced by Representative Atkins, relating to sales tax exemptions.

HB 881, introduced by Representative Atkins, relating to the Missouri radon certification program.

HB 882, introduced by Representative Atkins, relating to the crime of practicing medicine while intoxicated.

HB 883, introduced by Representative Largent, relating to crime scene photographs and video recordings.

HB 884, introduced by Representative Diehl, relating to the appointment of certain circuit clerks.

HB 885, introduced by Representatives Koenig, Curtman, Dugger and Hoskins, relating to payment of sales tax.

HB 886, introduced by Representatives Gatschenberger, Long, Cross, Bahr, Fitzwater and Lasater, relating to temporary assistance for needy families benefits.

HB 887, introduced by Representatives Frederick and Lichtenegger, relating to midwifery.

HB 888, introduced by Representatives Brattin, Davis, White, Wieland, Frederick, Kelley (126), Largent, Molendorp, Berry, Parkinson, Higdon, Koenig, Brown (116), Long, Solon, Johnson, Schoeller and Lair, relating to nondriver's licenses.

HB 889, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 890, introduced by Representatives Franz, Funderburk, Tilley, Carter, McDonald, Talboy and Gosen, relating to unsecured loans of five hundred dollars or less.

HB 891, introduced by Representatives Parkinson and Atkins, relating to an income tax exemption for certain elections employees.

HB 892, introduced by Representatives Talboy, Jones (63), Lampe, Webber, Sifton, Carter and Hoskins, relating to student athlete agents.

HB 893, introduced by Representatives Richardson, Barnes, Colona, Jones (117), Webber, Diehl, Molendorp, Dieckhaus, Fisher, Long, Talboy, Flanigan, Elmer, Scharnhorst, Parkinson, Zerr, Fraker, Cookson, Crawford, White and Schoeller, relating to the second injury fund.

HB 894, introduced by Representatives Long, Schoeller, Hough, Koenig, Cauthorn, Korman, Wallingford, Bahr, Higdon, Faith, Oxford, Hughes, Burlison, Franz, Dugger, Zerr, Fisher, McCaherty, Fraker, McGhee, Lant, Leach, Davis, Curtman, Funderburk, Cookson, Schad, McNary, Richardson and Fitzwater, relating to midwifery.

HB 895, introduced by Representatives Hampton, Richardson, Wright, Fisher, Weter, Pollock, Wells, Franz, Denison, Faith, Sater, Schad and Loehner, relating to the establishment of a memorial highway.

HB 896, introduced by Representative McCaherty, relating to state employee retirement.

HB 897, introduced by Representative Jones (63), relating to charter schools.

HB 898, introduced by Representative Smith (71), relating to the council on digital inclusion.

HB 899, introduced by Representative Colona, relating to health care utilization review.

HB 900, introduced by Representative McGhee, relating to the establishment of a memorial highway.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 7**.

SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, Section 21.760 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 8**, entitled:

An act to repeal sections 287.067, 287.120, and 287.150, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 17**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to cord blood banking.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 55**, entitled:

An act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 131**, entitled:

An act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 145**, entitled:

An act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to county inventory.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 161**, entitled:

An act to repeal sections 348.400, 348.407, and 348.412, RSMo, and to enact in lieu thereof three new sections relating to business development loans for agribusinesses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 162**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board, with an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 163**, entitled:

An act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 173**, entitled:

An act to repeal section 21.920, RSMo, and to enact in lieu thereof one new section relating to the joint committee on Missouri's promise.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 220**, entitled:

An act to repeal section 429.015, RSMo, and to enact in lieu thereof one new section relating to liens for architects, professional engineers, land surveyors, and landscape architects.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 250**, entitled:

An act to repeal sections 566.147 and 589.040, RSMo, and to enact in lieu thereof two new sections relating to requirements for persons convicted of sexual assault offenses, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 306**, entitled:

An act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, March 18, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 28, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 623, HB 743, HB 791

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 6:00 PM

Dinner only - 3702 W. Truman.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, March 28, 2011, 1:30 PM House Hearing Room 4.

Executive Session will be held: HCS HB 28, HCS HB 32, HCS HB 70, HB 79, HB 88, HB 101, HB 141, HCS HB 143, HB 182, HCS HB 197, HB 199, HCS HB 220, HB 256, HCS HB 259, HB 260, HB 264, HCS HB 265, HB 270, HB 272, HCS HBs 300, 334 & 387, HB 307, HB 327, HCS HB 354, HCS HB 369, HB 388, HB 402, HCS HB 412, HB 448, HCS HB 473, HB 484, HB 499, HCS HB 506, HB 513, HB 525, HCS HB 545, HCS HB 548, HB 550, HCS HB 556, HCS HB 557, HB 560, HB 561, HCS HB 604, HCS HB 630, HCS HB 631, HB 648, HB 667, HB 673, HB 675, HB 678, HB 738, HB 746, HB 749, HB 795, HB 798, HB 812, HB 813, HCS HB 825, HCS HJR 3, HCR 15, HCS HCR 17, HCR 34, HCS HB 100, HB 115, HCS HB 192, HB 257, HCS HB 336, HB 458, HCS HBs 470 & 429, HB 490, HCS HB 641, HCS HB 468, HCS HB 473

Executive session may be held on any matter referred to the committee.

AMENDED

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 28, 2011, House Hearing Room 5 5:00 PM or upon adjournment.

Public hearing will be held: HB 712, HCR 43, HB 754

Executive session will be held: HB 643, HB 660

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 492, HB 828

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SECOND DAY, FRIDAY, MARCH 18, 2011

HOUSE BILLS FOR SECOND READING

HB 875 through HB 900

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 2 HCS HB 2, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 3 HCS HB 3, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 4 HCS HB 4, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 5 HCS HB 5, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 6 HCS HB 6, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 7 HCS HB 7, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 8 HCS HB 8, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 9 HCS HB 9, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 10 HCS HB 10, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 11 HCS HB 11, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 12 HCS HB 12, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 13 HCS HB 13, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

SENATE BILLS FOR SECOND READING

- 1 SS#2 SCS SB 8
- 2 SCS SB 17
- 3 SS SB 55
- 4 SCS SB 131
- 5 SB 145
- 6 SB 161
- 7 SCS SB 162
- 8 SCS SB 163
- 9 SB 173
- 10 SB 220
- 11 SB 250
- 12 SS SB 306

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-SECOND DAY, FRIDAY, MARCH 18, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clayton Engleby, Spencer Engleby and Olivia Neely.

SECOND READING OF HOUSE BILLS

HB 875 through **HB 900** were read the second time.

SECOND READING OF SENATE BILLS

SS#2 SCS SB 8, SCS SB 17, SS SB 55, SCS SB 131, SB 145, SB 161, SCS SB 162, SCS SB 163, SB 173, SB 220, SB 250 and **SS SB 306** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 889 - Local Government

COMMITTEE REPORT

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 609**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Gatschenberger, Gosen, Hampton, Houghton, Jones (117), Loehner, Montecillo, Riddle, Schupp, Swearingen and Webb.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, March 28, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, March 28, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 623, HB 743, HB 791

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 6:00 PM

Dinner only - 3702 W. Truman.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, March 28, 2011, 1:30 PM House Hearing Room 4.

Executive session will be held: HCS HB 28, HCS HB 32, HCS HB 70, HB 79, HB 88, HB 101, HB 141, HCS HB 143, HB 182, HCS HB 197, HB 199, HCS HB 220, HB 256, HCS HB 259, HB 260, HB 264, HCS HB 265, HB 270, HB 272, HCS HBs 300, 334 & 387, HB 307, HB 327, HCS HB 354, HCS HB 369, HB 388, HB 402, HCS HB 412, HB 448, HB 484, HB 499, HCS HB 506, HB 513, HB 525, HCS HB 545, HCS HB 548, HB 550, HCS HB 556, HCS HB 557, HB 560, HB 561, HCS HB 604, HCS HB 630, HCS HB 631, HB 648, HB 667, HB 673, HB 675, HB 678, HB 738, HB 746, HB 749, HB 795, HB 798, HB 812, HB 813, HCS HB 825, HCS HJR 3, HCR 15, HCS HCR 17, HCR 34, HCS HB 100, HB 115, HCS HB 192, HB 257, HCS HB 336, HB 458, HCS HBs 470 & 429, HB 490, HCS HB 641, HCS HB 468, HCS HB 473

Executive session may be held on any matter referred to the committee.

AMENDED

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 518, HB 814, HB 818, HB 820

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, March 28, 2011, House Hearing Room 5 5:00 PM or upon adjournment.

Public hearing will be held: HB 712, HCR 43, HB 754

Executive session will be held: HB 643, HB 660

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 492, HB 828

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-THIRD DAY, MONDAY, MARCH 28, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 2 HCS HB 2, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 3 HCS HB 3, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 4 HCS HB 4, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 5 HCS HB 5, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 6 HCS HB 6, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 7 HCS HB 7, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 8 HCS HB 8, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 9 HCS HB 9, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 10 HCS HB 10, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 11 HCS HB 11, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 12 HCS HB 12, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 13 HCS HB 13, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-THIRD DAY, MONDAY, MARCH 28, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend John Reiker, St. Charles Borromeo Parish, St. Charles, Missouri.

Let us begin this session by listening to Jesus' parable: "There was a rich man who was dressed in purple and fine linen and who feasted sumptuously every day. And at his gate lay a poor man named Lazarus, covered with sores, who longed to satisfy his hunger with what fell from the rich man's table; even the dogs would come and lick his sores. The poor man died and was carried away by the angels to be with Abraham. The rich man also died and was buried. In Hades, where he was being tormented, he looked up and saw Abraham far away with Lazarus by his side. He called out, 'Father Abraham, have mercy on me, and send Lazarus to dip the tip of his finger in water and cool my tongue; for I am in agony in these flames.' But Abraham said, 'Child, remember that during your lifetime you received your good things, and Lazarus in like manner evil things; but now he is comforted here, and you are in agony. Besides all this, between you and us a great chasm has been fixed, so that those who might want to pass from here to you cannot do so, and no one can cross from there to us.' He said, 'Then, father, I beg you to send him to my father's house - for I have five brothers - that he may warn them, so that they will not also come into this place of torment.' Abraham replied, 'They have Moses and the prophets; they should listen to them.' He said, 'No, father Abraham; but if someone goes to them from the dead, they will repent.' He said to him, 'If they do not listen to Moses and the prophets, neither will they be convinced even if someone rises from the dead.' "

Let us pause a minute to listen to our Lord in our hearts.

God of all Love, we praise You and thank You for so generously giving us so many gifts. Help us to seek and ask for the gift of Your love. Only with Your powerful grace can we overcome our selfishness and negligence. Help each of us not only focus on my needs and wants but on the needs of others around me. Help us to share our material blessings with those less fortunate.

We thank You for the gift of life this day and for Your bringing us together here. We thank You for those here You have called to be Your public servants in our great state of Missouri. Guide their decisions which affect so many. Help us to listen to You alone. For we all depend totally on You - the giver of life - the giver of eternal life to all who love You and love all Your children as our sisters and brothers. Let us all say AMEN!

Thomas Smith led the House in reciting the Pledge of Allegiance.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rick Howell, Lucas Yates, Thomas Smith, Blaine Brady, Hunter Hicks, Joshua Williams, Wyatt Karase, Zackary Wiseman and Zachary Kremer.

The Journal of the forty-first day was approved as printed.

The Journal of the forty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1324 through House Resolution No. 1375

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1, relating to appropriations, was taken up by Representative Silvey.

HCS HB 1 was laid over.

HCS HB 2, relating to appropriations, was taken up by Representative Silvey.

HCS HB 2 was laid over.

HCS HB 3, relating to appropriations, was taken up by Representative Silvey.

HCS HB 3 was laid over.

HCS HB 4, relating to appropriations, was taken up by Representative Silvey.

HCS HB 4 was laid over.

HCS HB 5, relating to appropriations, was taken up by Representative Silvey.

HCS HB 5 was laid over.

HCS HB 6, relating to appropriations, was taken up by Representative Silvey.

HCS HB 6 was laid over.

HCS HB 7, relating to appropriations, was taken up by Representative Silvey.

HCS HB 7 was laid over.

HCS HB 8, relating to appropriations, was taken up by Representative Silvey.

HCS HB 8 was laid over.

HCS HB 9, relating to appropriations, was taken up by Representative Silvey.

HCS HB 9 was laid over.

HCS HB 10, relating to appropriations, was taken up by Representative Silvey.

HCS HB 10 was laid over.

HCS HB 11, relating to appropriations, was taken up by Representative Silvey.

HCS HB 11 was laid over.

HCS HB 12, relating to appropriations, was taken up by Representative Silvey.

HCS HB 12 was laid over.

HCS HB 13, relating to appropriations, was taken up by Representative Silvey.

HCS HB 13 was laid over.

HCS HB 1, was again taken up by Representative Silvey.

HCS HB 1 was laid over.

HCS HB 2 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2, Page 1, Section 2.005, Line 6, by deleting "2,018,461" and inserting "1,882,461"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative McNeil offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.017, Line 3, by inserting immediately after said section the following new section:

"Section 2.018 To the Department of Elementary and Secondary Education
For compulsory summer school in unaccredited and provisionally accredited school districts
From General Revenue Fund.....\$14,818,750"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

HCS HB 2, as amended, was laid over.

HCS HB 3 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 3, Page 1, Section 3.005, Line 8, by deleting "874,683" and inserting "834,343"; and

Further amend said bill, Page 5, Section 3.120, Line 3, by deleting "10,611,848" and inserting "10,558,012"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 3, Page 6, Section 3.144, Line 3, by deleting "General Revenue" and inserting "Lewis and Clark Discovery"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 3, Page 3, Section 3.045, Line 5, by deleting "4,860,640" and inserting "16,860,640"; and

Further amend said bill, said page, Section 3.050, Line 4, by deleting "22,827,307" and inserting "34,827,307"; and

Further amend said bill, said page, said section, Line 5, by deleting "42,000,000" and inserting "30,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

Representative Jones (117) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 3, Page 10, Section 3.220, Line 4, by inserting immediately after said line the following new line:

"From Lewis and Clark Discovery Fund.....\$2,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Jones (117), **House Amendment No. 4** was adopted.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 3, as amended, was laid over.

HCS HB 4 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 4, Page 1, Section 4.005, Line 6, by deleting "\$10,343,027" and inserting "\$10,284,719"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 4, Page 2, Section 4.010, Line 14, by deleting "3,337,760" and inserting "1,337,760"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson

Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Faith	Hughes	Schneider	Zimmerman
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VACANCIES: 001

HCS HB 4, as amended, was laid over.

HCS HB 10 was again taken up by Representative Silvey.

Representative Grisamore offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 10, Page 19, Section 10.410, Line 7, by deleting "156,288,847" and inserting "158,288,847"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 4, as amended, was again taken up by Representative Silvey.

HCS HB 4, as amended, was laid over.

HCS HB 5 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 1, Section 5.005, Line 6, by deleting "936,899" and inserting "872,508"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.020, Line 10, by deleting "42,482,777" and inserting "41,253,157"; and

Further amend said bill, said page, said section, Line 22, by deleting "1,145.10" and inserting "1,121.10"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 010

Atkins	Carlson	Kander	McGeoghegan	Pace
Pierson	Smith 71	Swearingen	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Funderburk	Houghton	Hughes	Leara
Schatz	Schneider	Zimmerman		

VACANCIES: 001

HCS HB 5, as amended, was laid over.

HCS HB 10, as amended, was again taken up by Representative Silvey.

Representative Grisamore offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 10, Page 19, Section 10.410, Line 7, by deleting "156,288,847" and inserting "157,518,467"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 5, as amended, was again taken up by Representative Silvey.

HCS HB 5, as amended, was laid over.

HCS HB 6 was again taken up by Representative Silvey.

Representative Cauthorn offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 6, Page 10, Section 6.210, Line 11, by deleting "32,982,537" and inserting "34,837,619"; and

Further amend said bill, said page, said section, Line 12, by deleting "11,913,767" and inserting "12,299,489"; and

Further amend said bill, said section, Page 12, Line 96, by deleting "908.69" and inserting "949.71"; and

Further amend said bill, Page 16, Section 6.280, Line 7, by deleting "18,448,466" and inserting "19,272,970"; and

Further amend said bill by adjusting section subtotal, section total and bill totals accordingly.

On motion of Representative Cauthorn, **House Amendment No. 1** was adopted.

Representative Guernsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 6, Page 1, Section 6.005, Line 6, by deleting "277,772" and inserting "268,392"; and

Further amend said bill, said section, said page, Line 7, by deleting "1,176,804" and inserting "1,152,684"; and

Further amend said bill, Page 9, Section 6.200, Line 6, by deleting "304,808" and inserting "298,538"; and

Further amend said bill, said section, said page, Line 7, by deleting "3,778,594" and inserting "3,727,864"; and

Further amend said bill by adjusting section subtotal, section totals and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 2** was adopted.

HCS HB 6, as amended, was laid over.

HCS HB 7 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 7, Page 1, Section 7.005, Line 6, by deleting "468,526" and inserting "459,146"; and

Further amend said bill, said page, said section, Line 7, by deleting "1,108,275" and inserting "1,088,728"; and

Further amend said bill, Page 2, said section, Line 10, by deleting "251,787" and inserting "247,214."; and

Further amend said bill, Page 11, Section 7.400, Line 3, by deleting "153,121" and inserting "147,843"; and

Further amend said bill, Page 12, Section 7.420, Line 4, by deleting "7,142,935" and inserting "7,091,213"; and

Further amend said bill, Page 19, Section 7.800, Line 9, by deleting "4,010,802" and inserting "3,953,802."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

HCS HB 7, as amended, was laid over.

HCS HB 8 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 8, Page 1, Section 8.005, Line 6, by deleting "867,138" and inserting "833,638"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

HCS HB 8, as amended, was laid over.

HCS HB 9 was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 9, Page 1, Section 9.005, Line 7, by deleting "4,374,645" and inserting "4,323,402"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

HCS HB 9, as amended, was laid over.

HCS HB 10, as amended, was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 10, Page 1, Section 10.005, Line 6, by deleting "576,487" and inserting "531,754"; and

Further amend said bill, Page 28, Section 10.600, Line 7, by deleting "710,928" and inserting "690,091"; and

Further amend said bill, said page, said section, Line 8, by deleting "2,074,199" and inserting "2,045,425"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 3** was adopted.

Representative Sater offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 10, Page 35, Section 10.725, by deleting the section in its entirety; and

Further amend said bill by adjusting bill totals accordingly.

On motion of Representative Sater, **House Amendment No. 4** was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Marshall
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schoeller	Shumake
Silvey	Solon	Thomson	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 068

Anders	Atkins	Aull	Black	Brandom
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Curtman	Day	Dieckhaus	Ellinger
Fallert	Gosen	Harris	Higdon	Hodges
Holsman	Hubbard	Hummel	Jones 63	Jones 89
Kander	Kelly 24	Kirkton	Kratky	Lampe
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Smith 150	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Funderburk	Houghton	Hughes	Leara
Schatz	Schneider	Zimmerman		

VACANCIES: 001

HCS HB 10, as amended, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 786 - Transportation Funding and Public Institutions

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 138**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 491**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 664**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 828**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 32**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 88**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 101**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 115**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 143**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 192**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 197**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 199**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 220**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 256**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 327**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 336**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 369**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 470 & 429**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 490**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 499**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 506**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 548**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 550**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 556**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 557**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 561**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 648**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 667**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 675**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 746**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 749**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 795**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 798**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 812**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 825**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 901, introduced by Representatives Talboy, Silvey, Peters-Baker, Berry, Nolte, Rizzo, Grisamore, McManus, Swearingen, Holsman, Cierpiot, McCann Beatty, Hoskins, Conway (27), Anders, Schieber, Brown (50), Hughes, Lasater, Lauer, Cross, Brattin, Nance, Johnson, Marshall, McDonald, Higdon, Long, Kelley (126), Kander, Solon, Tilley, Largent, Molendorp, Neth, Guernsey, McGhee, Aull and Jones (89), relating to tax credits.

HB 902, introduced by Representatives Neth, Marshall and Cierpiot, relating to reporting of child abuse.

HB 903, introduced by Representative Stream, relating to cardiovascular care instruction in schools.

HB 904, introduced by Representative Loehner, relating to agriculture.

HB 905, introduced by Representatives Zerr and Diehl, relating to historic structures rehabilitation tax credits.

HB 906, introduced by Representatives Torpey, Hoskins, Stream, Lair, Fisher, Solon, Long, Hinson, Nance, McDonald, Conway (27), Hummel, Swearingen, Anders, Jones (117), Allen and Denison, relating to the use of handheld electronic communications devices by persons operating school buses.

HB 907, introduced by Representatives Webber, Still, Quinn and Kelly (24), relating to a real property tax for funding early childhood education programs in certain school districts.

COMMITTEE APPOINTMENT

March 17, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Keith Frederick to the MO HealthNet Oversight Committee.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

WITHDRAWAL OF HOUSE BILL

Mr. Crumbliss,

I wish to withdraw **House Bill No. 852**. There is some technical work I need to do with co-sponsorship before reintroducing the bill. Thanks for the help!

All the best,

/s/ Paul Fitzwater
State Representative
District 152

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 29, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 3.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 3.

Review of FY 2010 Statewide Single Audit.

Testimony will be taken from State Auditor's office, Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

May reconvene upon morning adjournment.

CHILDREN AND FAMILIES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 739, HB 297, HB 509

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 371, HB 837

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 156

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 29, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 840, HB 674

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 29, 2011, 8:45 AM House Hearing Room 5.

Public hearing will be held: HB 856

Executive session will be held: HB 856, HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

CORRECTED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 446, HB 642

Executive session may be held on any matter referred to the committee.

AMENDED

GENERAL LAWS

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HJR 27, HB 638, HB 686, HB 748

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, March 30, 2011, South Gallery upon morning adjournment.

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HJR 9, HB 682

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 269, HB 718, HB 634, HB 663

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 753, HB 757, HB 758

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 6:00 PM

Dinner only - 3702 W. Truman.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 30, 2011, House Hearing Room 5.

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 568

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 30, 2011, 8:30 AM South Gallery.

Executive session will be held: HCS HB 609

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 613

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

Bill to be reconsidered.

TAX REFORM

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 518, HB 814, HB 818, HB 820, HB 527

Executive session may be held on any matter referred to the committee.

AMENDED

UTILITIES

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 598, HB 688, HB 794, HB 858, SB 63

Executive session may be held on any matter referred to the committee.

AMENDED

HOUSE CALENDAR

FORTY-FOURTH DAY, TUESDAY, MARCH 29, 2011

HOUSE BILLS FOR SECOND READING

HB 901 through HB 907

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 2 HCS HB 2, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 3 HCS HB 3, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 4 HCS HB 4, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

- 5 HCS HB 5, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 6 HCS HB 6, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 7 HCS HB 7, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 8 HCS HB 8, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 9 HCS HB 9, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 10 HCS HB 10, as amended,
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 11 HCS HB 11, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 12 HCS HB 12, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 13 HCS HB 13, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl
- 8 HCS HB 28 - Sater
- 9 HCS HB 100 - Loehner
- 10 HCS HB 192 - Jones (89)
- 11 HCS HB 336 - Burlison
- 12 HB 458 - Loehner
- 13 HCS HBs 470 & 429 - Funderburk
- 14 HB 490 - Diehl
- 15 HCS HB 641 - Franz
- 16 HCS HB 468 - Diehl

HOUSE BILLS FOR PERFECTION - CONSENT

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray

- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-FOURTH DAY, TUESDAY, MARCH 29, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Brethren, ye have been called unto liberty; only use not liberty for an occasion to the flesh, but by love serve one another. (Galations 5:13)

Almighty God, Father of all people, Who is ever seeking entrance into our lives, forever knocking at the door of our hearts - we open our spirits to You in prayer this morning.

We pray humbly and sincerely for our state - this land where we can speak our minds without fear, where we can pray as we choose and where we can elect those who govern us. May it now and ever be the land of the free and the home of the brave.

During these trying economic days, help us to think clearly, to make decisions wisely and to courageously do what is right and good for all. Above all, may we put our trust in You and keep this faith as long as we live. In the Master's name we pray. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Melissa Bergin-Stack, Alexis Chandler and Jonah Schnell.

The Journal of the forty-third day was approved as corrected.

SPECIAL RECOGNITION

Members of the Missouri Civil Air Patrol were introduced by Representative Scharnhorst and presented a Resolution recognizing the 70th Anniversary of their formation.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1376 through House Resolution No. 1412

SECOND READING OF HOUSE BILLS

HB 901 through **HB 907** were read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 11 was taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 6, by deleting "326,853" and inserting "277,241"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 11, Page 18, Section 11.425, Line 26, by deleting "192,575,272" and inserting "180,575,272"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 3, as amended, was taken up by Representative Silvey.

Representative Kelly (24) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 3, Page 6, Section 3.144, Line 1, by deleting said section in its entirety; and

Further amend said bill, said section, said line, by inserting the following new section:

"Section 3.144. To the Department of Higher Education
For the Preparing to Care Grant Program
From General Revenue Fund.....\$12,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 5** was adopted.

HCS HB 3, as amended, was laid over.

HCS HB 11, as amended, was again taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 11, Page 13, Section 11.245, Line 7, by deleting "\$7,422,385" and inserting "\$5,422,385"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

Representative Franz offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 11, Page 11, Section 11.205, Line 7, by deleting "\$7,473,426" and inserting "\$9,073,426"; and

Further amend said bill, said page, said section, Line 10, by deleting "1,250,000" and inserting "2,050,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 4** was adopted.

Representative Franz offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 6, by deleting "\$326,853" and inserting "\$226,853"; and

Further amend said bill, said page, said section, Line 9, by deleting "5.00 F.T.E." and inserting "3.02 F.T.E."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 5, as amended, was taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 5, Page 8, Section 5.147, Line 25, by deleting "1,583,561" and inserting "1,683,561"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 11, as amended, was again taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 11, Page 4, Section 11.055, by deleting the section in its entirety; and

Further amend said bill by adjusting bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 6** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 12 was taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 12, Page 7, Section 12.195, Line 3, by deleting "\$12,442,179" and inserting "\$13,963,212"; and

Further amend said section, Line 4, by deleting "2,556,077" and inserting "6,144,457"; and

Further amend said section, Line 24, by inserting immediately thereafter the following:

"From Third Party Liability Collections Fund.....668,140
From Child Support Enforcement Collection Fund.....166,003"; and

Further amend said section, Line 25, by deleting "410.50 F.T.E" and inserting "531.47 F.T.E."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

HCS HB 12, as amended, was laid over.

HCS HB 11, as amended, was again taken up by Representative Silvey.

HCS HB 11, as amended, was laid over.

HCS HB 12, as amended, was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 12, Page 1, Section 12.005, Line 2, by deleting "\$2,394,095" and inserting "\$2,207,095"; and

Further amend said bill, Page 2, Section 12.035, Line 3, by deleting "\$8,825,102" and inserting "\$8,810,208"; and

Further amend said bill, Page 5, Section 12.145, Line 3, by deleting "\$6,198,762" and inserting "\$6,180,787"; and

Further amend said bill, Page 7, Section 12.195, Line 3, by deleting "\$12,442,179" and inserting "\$12,373,742"; and

Further amend said bill, Page 14, Section 12.500, Line 5, by deleting "8,783,783" and inserting "8,782,283"; and

Further amend said bill, Page 15, Section 12.510, Line 6, by deleting "\$831,141" and inserting "\$824,869"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 2** was adopted by the following vote:

AYES: 119

Allen	Aull	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McManus
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 035

Anders	Asbury	Atkins	Brown 50	Carlson
Carter	Colona	Ellinger	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	May

McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Schupp	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 007

Brown 116	Conway 27	Hughes	McCaherty	Sater
Schneider	Zimmerman			

VACANCIES: 001

Representative Guernsey offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 12, Page 5, Section 12.150, Line 3, by deleting "\$1,825,414" and inserting "\$1,814,414"; and

Further amend said bill and adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 3** was adopted.

Representative Nasheed offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 12, Page 1, Section 12.005, Line 2, by deleting "\$2,394,095" and inserting "\$1,894,095"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Nasheed, **House Amendment No. 4** was adopted by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Burlison	Carter	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner

Long	Marshall	May	McCaherty	McGhee
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	McCann Beatty	McDonald	McGeoghegan
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schupp	Sifton	Still	Swearingen	Talboy
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Hughes	McManus	McNary	Meadows
Schneider	Zimmerman			

VACANCIES: 001

HCS HB 12, as amended, was laid over.

HCS HB 2, as amended, was taken up by Representative Silvey.

Representative Nasheed offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 27, by inserting immediately after said line the following new section:

“Section 2.016. To the Department of Elementary and Secondary Education
For Dropout Recovery Grants for use within the city of St. Louis
General Revenue Fund.....\$500,000”; and

Further amend said bill by adjusting section and bill totals accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Nasheed, **House Amendment No. 3** was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 019

Bahr	Brown 116	Burlison	Conway 14	Curtman
Franklin	Higdon	Hodges	Keeney	Kelly 24
Koenig	Lasater	Leach	Marshall	Neth
Parkinson	Pollock	Swearingen	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 005

Fuhr	Hughes	Leara	Schneider	Zimmerman
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VACANCIES: 001

HCS HB 2, as amended, was laid over.

HCS HB 12, as amended, was again taken up by Representative Silvey.

Representative Flanigan offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 12, Page 15, Section 12.505, Line 6, by deleting "11,037,656" and inserting "10,937,656"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 5** was adopted.

HCS HB 12, as amended, was laid over.

HCS HB 5, as amended, was again taken up by Representative Silvey.

Representative Flanigan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 5, Page 5, Section 5.075, Line 12, by inserting immediately after said section the following new section:

"Section 5.079 There is transferred out of the State Treasury, chargeable to the General Revenue Fund, to the Capitol Commission Fund
From General Revenue Fund.....\$100,000"; and

Further amend said bill, said page, section 5.080, line 7, by deleting "25,000" and inserting "125,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 4** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 12, as amended, was again taken up by Representative Silvey.

Representative Sifton offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 12, Page 5, Section 12.145, line 3, by deleting "\$6,198,162" and inserting "\$6,013,063"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Sifton moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Day	Ellinger	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelley 126
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber				

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Holsman	Hughes	Lasater	Leara	Schneider
Wallingford	Zimmerman			

VACANCIES: 001

HCS HB 12, as amended, was laid over.**HCS HB 13** was taken up by Representative Silvey.**HCS HB 13** was laid over.

HCS HB 1 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1** was adopted.

On motion of Representative Silvey, **HCS HB 1** was ordered perfected and printed.

HCS HB 2, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2, as amended**, was ordered perfected and printed.

HCS HB 3, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 3, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 3, as amended**, was ordered perfected and printed.

HCS HB 4, as amended, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 4, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 4, as amended**, was ordered perfected and printed.

HCS HB 5, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 5, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 5, as amended**, was ordered perfected and printed.

HCS HB 6, as amended, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 6, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 6, as amended**, was ordered perfected and printed.

HCS HB 7, as amended, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 7, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 7, as amended**, was ordered perfected and printed.

HCS HB 8, as amended, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 8, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 8, as amended**, was ordered perfected and printed.

HCS HB 9, as amended, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 9, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 9, as amended**, was ordered perfected and printed.

HCS HB 10, as amended, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 10, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 10, as amended**, was ordered perfected and printed.

HCS HB 11, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 11, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 11, as amended**, was ordered perfected and printed.

HCS HB 12, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 12, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 12, as amended**, was ordered perfected and printed.

HCS HB 13 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 13** was adopted.

On motion of Representative Silvey, **HCS HB 13** was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

PERFECTION OF HOUSE BILLS

HB 434, relating to co-employee liability for negligence, was taken up by Representative Nolte.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 434, Page 1, Section 287.120, Line 16, by deleting the words “**affirmative negligent**” and inserting in lieu thereof the word “**intentional**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Fallert offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 434, Page 1, Section 287.120, Line 17, by inserting after the word “**injury.**” the following:

“**The provision of this subsection shall not apply to a co-employee who has entered the United States illegally.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McManus offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

Representative McManus offered **House Amendment No. 2 to House Amendment No. 2**.

House Amendment No. 2

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 434, Page 1, Line 4, by deleting "who" and replacing with "whose employer has not 'not knowingly' ".

On motion of Representative McManus, **House Amendment No. 2 to House Amendment No. 2** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCarthy	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Brown 116	Burlison	Cox	Pollock	Rowland
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PRESENT: 000

ABSENT WITH LEAVE: 008

Leach	Marshall	McGhee	Nasheed	Scharnhorst
Schneider	Smith 150	Zimmerman		

VACANCIES: 001

Representative Flanigan assumed the Chair.

Representative Fallert moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 006

McGhee	Nasheed	Scharnhorst	Schneider	Smith 150
Zimmerman				

VACANCIES: 001

HB 434, as amended, was laid over.

HB 423, relating to a health care compact, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 423, Section 1, Page 1, Line 1, by deleting all of said line and insert in lieu thereof the following:

“Section 1. Definitions. As used in this Compact, unless the context clearly indicates otherwise:”; and

Further amend said bill, section and page, Line 6, by deleting the word **“latter”** and insert in lieu thereof the word **“later”**; and

Further amend said bill, section and page, Line 8, by inserting immediately after the word **“State;”** the word **“and”**; and

Further amend said bill and section, Page 2, Lines 10-15 by deleting all of said lines and insert in lieu thereof the following:

“to Article I, Section 10, of the United States Constitution, after at least two Member States adopt this Compact.

"Health Care" means care, services, supplies, or plans related to the health of an individual and includes but is not limited to:

(a) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care and counseling, service, assessment, or procedure with respect to the physical or mental condition or functional status of an individual or that affects the structure or function of the body; and

(b) sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription; and

(c) an individual or group plan that provides, or pays the cost of, care, services, or supplies related to the health of an individual; except any care, services, supplies, or plans provided by the United States Department of Defense, the United States Department of Veteran Affairs, or provided to Native Americans.”; and

Further amend said bill and section, Page 2, Line 16, by inserting after all of said line the following:

““Member State" means a State that is signatory to this Compact and has adopted it under the laws of that State.

"Member State Base Funding Level" means a number equal to the total Federal spending on Health Care in the Member State during Federal fiscal year 2010 as determined. On or before the Effective Date, each Member State shall determine the Member State Base Funding Level for its State, and that number shall be binding upon that Member State. (The preliminary estimate of Member State Base Funding Level for the State of Missouri is \$18,669,000,000.)

"Member State Current Year Funding Level" means the Member State Base Funding Level multiplied by the Member State Current Year Population Adjustment Factor multiplied by the Current Year Inflation Adjustment Factor.

"Member State Current Year Population Adjustment Factor" means the average population of the Member State in the current year less the average population of the Member State in Federal fiscal year 2010, divided by the average population of the Member State in Federal fiscal year 2010, plus 1. Average population in a Member State shall be determined by the United States Census Bureau.

"Current Year Inflation Adjustment Factor" means the Total Gross Domestic Product Deflator in the current year divided by the Total Gross Domestic Product Deflator in Federal fiscal year 2010. Total Gross Domestic Product Deflator shall be determined by the Bureau of Economic Analysis of the United States Department of Commerce.”; and

Further amend said bill, Section 2, Page 2, Line 1, by deleting the phrase **“All Member States pledge themselves to”** and insert in lieu thereof the phrase **“The Member States shall”**; and

Further amend said bill, section and page, Line 2, by inserting the words “**the United States**” after the word “**of**”; and

Further amend said bill, section and page, Line 4, by deleting all of said line and insert in lieu thereof the following:

“articulated in this Compact. The Member States shall improve health care”; and

Further amend said bill, section and page, Line 6, by adding an “**s**” to the word “**State**”; and

Further amend said bill and page, Section 4, Lines 1-4, by deleting all of said lines and insert in lieu thereof the following:

“Section. 4. State Control. Each Member State, within its State, may suspend by legislation the operation of all federal laws, rules, regulations, and orders regarding Health Care that are inconsistent with the laws and regulations adopted by the Member State pursuant to this Compact. Federal laws, rules, regulations, and orders regarding health care will remain in effect unless a Member State expressly suspends them pursuant to its authority under this Compact. For any federal law, rule, regulation, or order that remains in effect in a Member State after the Effective Date, that Member State shall be responsible for the associated funding obligations in its State.”; and

Further amend said bill, Page 2, Section 5, Lines 1-3, by deleting all of said lines and insert in lieu thereof the following:

“Section. 5. Funding.

(a) Each Federal fiscal year, each Member State shall have the right to Federal monies up to an amount equal to its Member State Current Year Funding Level for that Federal fiscal year, funded by Congress as mandatory spending and not subject to annual appropriation, to support the exercise of Member State authority under this Compact. This funding shall not be conditional on any action of or regulation, policy, law, or rule being adopted by the Member State.

(b) By the start of each Federal fiscal year, Congress shall establish an initial Member State Current Year Funding Level for each Member State, based upon reasonable estimates. The final Member State Current Year Funding Level shall be calculated, and funding shall be reconciled by the United States Congress, based upon information provided by each Member State and audited by the United States Government Accountability Office.”; and

Further amend said bill, Page 2, Section 6, Lines 1-2, by deleting the sentence “**The Member States hereby create the Interstate Advisory Health Care Commission.**”; and

Further amend said bill, section and page, Line 4, by deleting the words “**After careful consideration, the**” and insert in lieu thereof the word “**The**”; and

Further amend said bill, section and page, Line 6, by deleting the word “**then**”; and

Further amend said bill, section and page, Line 9, by deleting the words “**,but not limited to,**”; and

Further amend said bill, section and page, Line 10, by deleting the words “**cost of**” and insert in lieu thereof the word “**prices**”; and

Further amend said bill, section and page, Line 11, by inserting after the word “**information**” the words “**and data**”; and

Further amend said bill, section and page, Line 12, by inserting at the end of said line the following:

“Notwithstanding any other provision in this Compact, no Member State shall disclose to the Commission the health information of any individual, nor shall the Commission disclose the health information of any individual.”; and

Further amend said bill and section, Page 3, Line 13, by deleting the words **“shall consist”** and insert in lieu thereof the word **“consists”**; and

Further amend said bill, section and page, Line 14, by deleting the words **“No state may”** and insert in lieu thereof the words **“A Member State may not”**; and

Further amend said bill, section and page, Line 16, by deleting all of said line and insert in lieu thereof the following:

“withdraw membership from the Commission at any time. Each Commission member is”; and

Further amend said bill, section and page, Lines 18-19, by deleting the words **“total number of members.”** and insert in lieu thereof the words **“commission’s total membership.”**; and

Further amend said bill, section and page, Line 20, by deleting the word **“Chairman”** and insert in lieu thereof the word **“Chairperson”**; and

Further amend said bill, section and page, Line 21, by deleting the word **“which”** and insert in lieu thereof the word **“that”**; and

Further amend said bill, section and page, Line 22, by deleting the word **“will”** and insert in lieu thereof the word **“shall”**; and

Further amend said bill, section and page, Lines 24-28, by deleting all of said lines and insert in lieu thereof the following:

“(e) The Commission shall be funded by the Member States as agreed to by the Member States. The Commission shall have the responsibilities and duties as may be conferred upon it by subsequent action of the respective legislatures of the Member States in accordance with the terms of this Compact.

(f) The Commission shall not take any action within a Member State that contravenes any State law of that Member State.”; and

Further amend said bill, Sections 7-8, Page 3, by deleting all of said lines and insert in lieu thereof the following:

“Section. 7. Congressional Consent. This Compact shall be effective on its adoption by at least two Member States and consent of the United States Congress. This Compact shall be effective unless the United States Congress, in consenting to this Compact, alters the fundamental purposes of this Compact, which are:

(a) To secure the right of the Member States to regulate Health Care in their respective States pursuant to this Compact and to suspend the operation of any conflicting federal laws, rules, regulations, and orders within their States; and

(b) To secure Federal funding for Member States that choose to invoke their authority under this Compact, as prescribed by Section 5 above.

Section. 8. Amendments. The Member States, by unanimous agreement, may amend this Compact from time to time without the prior consent or approval of Congress and any amendment shall be effective unless, within one year, the Congress disapproves that amendment. Any State may join this Compact after the date on which Congress consents to the Compact by adoption into law under its State Constitution.”; and

Further amend said bill, Section 9, Page 3, Line 2, by inserting immediately after the word “**effect**” the following:

“, **but no such withdrawal shall take effect until six months after the Governor of the withdrawing Member State has given notice of the withdrawal to the other Member States**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

Representative Schupp offered **House Amendment No. 2**.

Representative Elmer raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Flanigan requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HB 423, as amended, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 606 - General Laws

HB 839 - Special Standing Committee on Renewable Energy

HB 893 - Workforce Development and Workplace Safety

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 55 - Rural Community Development

SS SB 306 - Financial Institutions

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 856**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 656**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 661**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 534**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 737**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 660**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 908, introduced by Representatives Berry, Nolte, Silvey, Neth, Schieber, Nance, Lauer, Cross, Long, Cierpiot, McGhee, Klippenstein, Brattin, Barnes, Lasater, Molendorp, Faith, Grisamore, Talboy, McCann Beatty and Solon, relating to economic incentives.

HB 909, introduced by Representative Higdon, relating to an owner's liability for death or injury to a trespasser.

HB 910, introduced by Representative Atkins, relating to illegal immigration.

HB 911, introduced by Representatives Webber and Kander, relating to designation of tax refunds to the Missouri veterans' medical research trust fund.

HB 912, introduced by Representatives McCaherty, Curtman, Scharnhorst, Fisher, Webber, Day, Wieland, Davis, Lant, Pollock, Nolte, Fallert, Denison, Schieffer, Casey, Harris and Bahr, relating to the designation of a memorial highway.

HB 913, introduced by Representatives Carter, Barnes, Pace, Webb, Jones (63) and Colona, relating to trafficking drugs.

HB 914, introduced by Representative Grisamore, relating to hearing instrument purchase agreements.

HB 915, introduced by Representatives Parkinson and Atkins, relating to motor vehicle financial responsibility.

HB 916, introduced by Representatives Houghton, Burlison, Wells, Pollock, Brown (116), Richardson, Schatz, Korman and Phillips, relating to a special license plate.

HB 917, introduced by Representatives Hinson and Kelly (24), relating to consolidation of fire districts in St. Louis County.

HB 918, introduced by Representatives Solon, Weter, Torpey, Montecillo, Cierpiot, Gatschenberger, Marshall, Higdon and Scharnhorst, relating to solid waste collection.

HB 919, introduced by Representatives Schupp and Conway (27), relating to community improvement districts.

HB 920, introduced by Representatives Walton Gray, Carter, Pace, Oxford, Smith (71), Atkins, May and Schieffer, relating to the use of credit scores by insurance companies.

HB 921, introduced by Representative Aull, relating to state aid for schools.

HB 922, introduced by Representatives Still, McGeoghegan, Ellinger, Oxford, Kirkton, Schupp, McNeil, McDonald and McCann Beatty, relating to mortgage foreclosures.

HB 923, introduced by Representative Pollock, relating to adverse possession.

HB 924, introduced by Representatives Nolte, Talboy, Neth, Berry, Peters-Baker, Brown (50), Lasater, Holsman, McCann Beatty, Swearingen, Grisamore, Rizzo, McManus and Silvey, relating to the Missouri quality jobs act.

HB 925, introduced by Representative Riddle, relating to breast-feeding.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 30, 2011.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-third Day, Monday, March 28, 2011, Page 724, Line 31, by inserting immediately after said line the following:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 3.

Review of FY 2010 Statewide Single Audit.

Testimony will be taken from State Auditor's office, Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

May reconvene upon morning adjournment.

CHILDREN AND FAMILIES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 739, HB 297

Executive session may be held on any matter referred to the committee.

HB 509 will not be heard.

AMENDED

CORRECTIONS

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 371, HB 837

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 156

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 446, HB 642

Executive session may be held on any matter referred to the committee.

AMENDED

FINANCIAL INSTITUTIONS

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: SS SB 306

Executive session will be held: HB 787

Executive session may be held on any matter referred to the committee.

AMENDED

FISCAL REVIEW

Thursday, March 31, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

HEALTH CARE POLICY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, March 30, 2011, South Gallery upon morning adjournment.

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Thursday, March 31, 2011, 8:15 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CORRECTION: Due to session start time of 9:00 AM, this hearing has been moved up to 8:15 AM.

CORRECTED

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 30, 2011, 12:00 PM Room 315.

Lunch

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 28

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 269, HB 718, HB 634, HB 663

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 753, HB 757, HB 758

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 6:00 PM.

Dinner only - 3702 W. Truman.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 30, 2011, 12:00 PM or if after 12:00 PM House Hearing Room 5 upon morning adjournment.

Public hearing will be held: HB 568

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 31, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session may be held on any matter referred to the committee.

CORRECTED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 30, 2011, House Hearing Room 3 upon morning adjournment.

Executive session will be held: SCS SB 68

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 30, 2011, 8:30 AM South Gallery.

Executive session will be held: HCS HB 609

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session only - No Public Testimony.

TAX REFORM

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 31, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 659, HB 714, HB 792, HB 786

Executive session will be held: HB 659, HB 714, HB 792, HB 786

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 208

Executive session will be held: HB 754, HB 712, HCR 43

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 31, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 767, HB 726

Executive session will be held: HB 549

Executive session may be held on any matter referred to the committee.

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, March 31, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 188

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FIFTH DAY, WEDNESDAY, MARCH 30, 2011

HOUSE BILLS FOR SECOND READING

HB 908 through HB 925

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434, as amended - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423, as amended - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl
- 8 HCS HB 28 - Sater
- 9 HCS HB 100 - Loehner
- 10 HCS HB 192 - Jones (89)
- 11 HCS HB 336 - Burlison
- 12 HB 458 - Loehner
- 13 HCS HBs 470 & 429 - Funderburk
- 14 HB 490 - Diehl
- 15 HCS HB 641 - Franz
- 16 HCS HB 468 - Diehl

HOUSE BILLS FOR PERFECTION - CONSENT

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter

- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 1 - Silvey
- 2 HCS HB 2 - Silvey
- 3 HCS HB 3 - Silvey
- 4 HCS HB 4 - Silvey
- 5 HCS HB 5 - Silvey
- 6 HCS HB 6 - Silvey
- 7 HCS HB 7 - Silvey
- 8 HCS HB 8 - Silvey
- 9 HCS HB 9 - Silvey
- 10 HCS HB 10 - Silvey
- 11 HCS HB 11 - Silvey
- 12 HCS HB 12 - Silvey
- 13 HCS HB 13 - Silvey

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey

- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIFTH DAY, WEDNESDAY, MARCH 30, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend James T. King, Senior Pastor of St. Paul Lutheran Church, Farmington, Missouri.

Gracious Heavenly Father, You are the God of grace and mercy, as we again assemble in this Chamber and face the duties and decisions of a new day, may the power of Your Spirit be upon us.

Grant that our Speaker and the Members of the House of Representatives who have been entrusted by the people of this great state, be guided into the ways of truth and righteousness.

May the legislation they propose contribute to the growth and goodness, the health and happiness, the material and spiritual welfare of our state and all mankind.

Show them how to bring joy and peace into all those whose lives are broken by bitter adversities and afflictions, by heavy burdens and beset by trials and tribulations.

Forgive us when we stray from Your ways and open our hearts to receive Your divine strength and guidance as we struggle to perform our daily tasks faithfully and well.

Hear us in the name of Jesus Christ, our hope and our life. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hayley Starner, Tate Workcuff, Sydney Allred, Scott LaRue and Ayanna Johnson.

The Journal of the forty-fourth day was approved as printed.

Speaker Pro Tem Schoeller assumed the Chair.

SPECIAL RECOGNITION

John Twitty was introduced by Representative Lampe and recognized as an Outstanding Missourian.

Dr. Devin Stephenson and employees of Three Rivers Community College were introduced by Representative Richardson and presented with a resolution.

Kathy Steinhoff, Teacher of the Year, was introduced by Representative Still and presented with a resolution.

Ray Steinhoff, Coach of the New Haven Shamrocks Basketball Team, was introduced by Representative Schatz and presented with a resolution.

Speaker Tilley resumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

HOUSE RESOLUTIONS

Representative Gatschenberger offered House Resolution No. 1428.

Representative Higdon offered House Resolution No. 1452.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1413 through House Resolution No. 1427

House Resolution No. 1429 through House Resolution No. 1451

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 51.

SECOND READING OF HOUSE BILLS

HB 908 through **HB 925** were read the second time.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1** was read the third time and passed by the following vote:

AYES: 161

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes

Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 2, relating to appropriations, was taken up by Representative Silvey.

Speaker Tilley resumed the Chair.

On motion of Representative Silvey, **HCS HB 2** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson

Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Parkinson	Peters-Baker
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 014

Atkins	Carlson	Keeney	McNeil	Newman
Oxford	Pace	Pierson	Schupp	Smith 71
Still	Swearingen	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 002

McDonald	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 3, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 019

Atkins	Carlson	Hughes	Hummel	McDonald
McGeoghegan	McNeil	Newman	Oxford	Pace
Peters-Baker	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 002

Schieffer	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 4, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 4** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kirkton	Kander	Keeney
Kelley 126	Kelly 24		Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara

Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 007

Atkins	Hughes	McNeil	Oxford	Smith 71
Swearingen	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 001

Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 5, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed

Neth	Nichols	Nolte	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 017

Atkins	Carlson	Colona	Hughes	Hummel
Marshall	May	McGeoghegan	McNeil	Newman
Oxford	Pace	Schupp	Smith 71	Swearingen
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 002

Guernsey	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 6, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 6** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson

770 *Journal of the House*

Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Atkins	Hughes	McGeoghegan	McNeil	Oxford
Pace	Swearingen			

PRESENT: 000

ABSENT WITH LEAVE: 002

Elmer	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 7, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 7** was read the third time and passed by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nichols	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Still	Stream	Swinger	Talboy

Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 035

Anders	Atkins	Carlson	Casey	Colona
Fallert	Hodges	Hughes	Hummel	Kander
Kirkton	Kratky	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Swearingen	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 001

Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 8, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 8** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz

Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Hughes	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 002

Loehner	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 9, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 9** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng

Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Atkins	Hughes	Oxford
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PRESENT: 001

Quinn

ABSENT WITH LEAVE: 003

Day	McGhee	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 10, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 10** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McManus	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Spreng	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 027

Atkins	Carlson	Colona	Hughes	Hummel
Jones 63	Kratky	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Still	Swearingen	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 004

Casey	Day	McGhee	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 11, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 11** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 020

Atkins	Carlson	Colona	Hughes	McGeoghegan
McNeil	Newman	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Still	Swearingen	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 002

Brown 50 Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 12, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 12** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 010

Carlson	Hughes	McDonald	McGeoghegan	Newman
Oxford	Pace	Peters-Baker	Schupp	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 003

Berry	McGhee	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 13, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 13** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Hughes Oxford

PRESENT: 000

ABSENT WITH LEAVE: 003

Fraker Schieber Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

PERFECTION OF HOUSE BILLS

HB 434, as amended, relating to co-employee liability negligence, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 434, as amended**, was ordered perfected and printed.

HCS HB 475, relating to disclosure of health care data, was taken up by Representative Funderburk.

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 475, Page 4, Section 191.1005, Line 93, by deleting the date "**August 28, 2011**" and insert in lieu thereof the date "**January 1, 2012**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Funderburk, **HCS HB 475, as amended**, was adopted.

On motion of Representative Funderburk, **HCS HB 475, as amended**, was ordered perfected and printed.

HB 423, as amended, relating to a health care compact, was taken up by Representative Burlison.

Representative Stream assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cox	Dieckhaus	Fraker	Higdon	Korman
Leara	Meadows	Schad	Scharnhorst	Zimmerman

VACANCIES: 001

On motion of Representative Burlison, **HB 423, as amended**, was ordered perfected and printed by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 006

Cox	Dieckhaus	Fraker	Leara	Schad
Zimmerman				

VACANCIES: 001

HCS HB 28, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Sater.

Representative Koenig offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 28, Page 1, Section 188.033, Line 12, by deleting all of said line and insert in lieu thereof the following:

“not an ectopic pregnancy; and”; and

Further amend said bill and section, Pages 1-2, Lines 16-26, by deleting all of said lines and insert in lieu thereof the following:

“FDA or the drug manufacturer to induce an abortion.”; and

Further amend said bill and section, Page 2, Line 32, by inserting after the word **“are”** the words **“performed or”**; and

Further amend said bill, section and page, Lines 46-47, by deleting all of said lines and insert in lieu thereof the following:

“(2) Has privileges at the hospital or at the abortion facility where the drug or drugs were administered, to perform surgical intervention including but not limited to surgical abortion.”; and

Further amend said bill and section, Page 3, Lines 59-61, by deleting all of said lines and inserting in lieu thereof the following:

“and maintain in force a tail or occurrence-based insurance policy of at least one million dollars per occurrence and three million dollars in the aggregate per year for personal injury to or death of the child who is born alive, and such policy does not expire until at least the child reaches his or her twentieth birthday, pursuant to section 516.105.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 1** was adopted.

Speaker Tilley resumed the Chair.

HCS HB 28, as amended, was laid over.

HCS HB 546, relating to the Missouri Housing Development Commission, was taken up by Representative Kelly (24).

Representative Kander offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 546, Page 1, Section 215.020, Lines 3 to 6, by deleting all of said lines and inserting in lieu thereof the following:

“a body corporate and politic.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 546, Page 1, Section 215.020, Lines 4-5, by removing all of said lines and inserting in lieu thereof the following:

“located within thirty-five miles of the seat of government, and all employees of the commission shall maintain employment within thirty-five miles of the seat of government. All expenses and costs incurred for the relocation of the offices of the commission”; and

Further amend said bill, Page 2, Section 215.020, Line 26, by removing all of said line and inserting in lieu thereof the following:

“seat of government.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 546, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 475 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 840**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 609**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 926, introduced by Representative Bernskoetter, to authorize the conveyance of various properties owned by the state.

HB 927, introduced by Representatives McDonald, Lasater, Anders, McManus, Cross, Lauer, Talboy, Rizzo, Kratky, Hughes, Brown (50), Conway (27), Black, Cierpiot, Casey, Hodges, Molendorp, Colona, Fallert and Webb, relating to a surcharge for violations of ordinances or criminal and traffic laws.

HB 928, introduced by Representatives Schoeller, Long, Denison, Leach, Hough, Lampe and Burlison, relating to a surcharge on civil cases.

HB 929, introduced by Representative Ellinger, relating to members of economic development tax boards.

HB 930, introduced by Representatives Oxford, Atkins, Pace, Talboy, Hubbard, Pierson, Walton Gray, May, Hughes, Ellinger, Fallert, McCann Beatty, Montecillo, Lampe, Carlson, Kirkton, Spreng, Smith (71), Taylor, Aull, Hummel, Jones (63), Brown (50), Nasheed, McGeoghegan, Carter, Webb and Holsman, relating to deductions for federal income tax liability.

HB 931, introduced by Representatives Johnson, Higdon, Houghton, Entlicher, Lichtenegger, Kelley (126), Klippenstein, Brattin, Hoskins, Redmon, Lant and Brown (85), relating to a Missouri funeral demonstration zone.

HB 932, introduced by Representatives Torpey, Crawford, Elmer, Long, Largent and Jones (117), relating to vision-reducing material applied to motor vehicle windshields or windows.

HB 933, introduced by Representatives Schupp and Kirkton, relating to the sale of kosher food.

HB 934, introduced by Representatives Shively, Quinn, Black, Harris, Meadows and Kratky, relating to the approval or disapproval of long-term care insurance rates by the director of the department of insurance, financial institutions and professional registration.

HB 935, introduced by Representatives Johnson, Higdon, Houghton, Conway (27), Entlicher, Lichtenegger, Kelley (126), Klippenstein, Brattin, Hoskins, Redmon, Lant and Brown (85), relating to a funeral protest fee.

HB 936, introduced by Representative Aull, relating to the A+ Schools program.

HB 937, introduced by Representatives Meadows, Fraker, Carter, Jones (117), Casey and Shively, relating to preneed funeral contracts.

HB 938, introduced by Representatives Meadows and Newman, relating to technical codes.

HB 939, introduced by Representatives Dieckhaus, Jones (89) and Scharnhorst, relating to school enrollment.

HB 940, introduced by Representatives Nichols, McNary, Harris, Ellinger, Torpey, Taylor, Gatschenberger, Lair, McGeoghegan, Spreng, Neth, Stream, Smith (71), Berry and Grisamore, relating to the common interest owners bill of rights act.

HB 941, introduced by Representative Johnson, relating to identity theft.

HB 942, introduced by Representative Johnson, relating to tax credits for adoptions.

HB 943, introduced by Representative Johnson, relating to broadband enhancement.

HB 944, introduced by Representative Johnson, relating to senior citizens property tax relief.

HB 945, introduced by Representatives Carter, Nasheed, Jones (117), Hough, Webb, Fraker, Fitzwater, Keeney, Phillips, Dugger, Largent, Hubbard, Montecillo, May, Hummel, Schupp, Meadows, Pace and Jones (63), relating to motor carrier exemptions.

HB 946, introduced by Representative Guernsey, relating to grain sale and storage.

HB 947, introduced by Representatives Holsman and Oxford, relating to public financing of certain election campaigns.

HB 948, introduced by Representative Holsman, relating to crime.

HB 949, introduced by Representative Ellinger, relating to members of economic development tax boards.

HB 950, introduced by Representative Scharnhorst, relating to insurance coverage for autism spectrum disorders.

HB 951, introduced by Representative Johnson, relating to corporate income taxation.

HB 952, introduced by Representative Korman, relating to nonpartisan elections.

HB 953, introduced by Representatives Cauthorn and Houghton, relating to sales tax exemptions.

HB 954, introduced by Representative Franz, relating to certain benefits for the Missouri development finance board.

HB 955, introduced by Representative Franz, relating to motor vehicle valuations.

HB 956, introduced by Representatives Shively, Lair, Sifton and Anders, relating to credit for imprisonment.

WITHDRAWAL OF HOUSE BILL

March 30, 2011

Adam Crumbliss, Chief Clerk
Room 306C
State Capitol
Jefferson City, MO 65101

Adam Crumbliss:

I hereby request to withdraw **House Bill No. 929**.

Sincerely,

/s/ Rory Ellinger
Representative
District 72

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:00 a.m., Thursday, March 31, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Thursday, March 31, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

HEALTH INSURANCE

Thursday, March 31, 2011, 8:15 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CORRECTION: Due to session start time of 9:00 AM, this hearing has been moved up to 8:15 AM.

CORRECTED

RETIREMENT

Thursday, March 31, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 31, 2011, 1:45 PM House Hearing Room 1.

Public hearing will be held: HB 193

Executive session will be held: HB 193

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, March 31, 2011, House Hearing Room 7 upon morning adjournment.

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 31, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 659, HB 714, HB 792, HB 786

Executive session will be held: HB 659, HB 714, HB 792, HB 786

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 208

Executive session will be held: HB 754, HB 712, HCR 43

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, March 31, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 767, HB 726

Executive session will be held: HB 549

Executive session may be held on any matter referred to the committee.

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, March 31, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 188

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 4, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 893

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SIXTH DAY, THURSDAY, MARCH 31, 2011

HOUSE BILLS FOR SECOND READING

- 1 HB 926 through HB 928
- 2 HB 930 through HB 956

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 192 - Jones (89)
- 8 HCS HB 336 - Burlison
- 9 HB 458 - Loehner
- 10 HCS HBs 470 & 429 - Funderburk
- 11 HB 490 - Diehl
- 12 HCS HB 641 - Franz
- 13 HCS HB 468 - Diehl

HOUSE BILLS FOR PERFECTION - CONSENT

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox

- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 434 - Nolte
- 2 HCS HB 475, (Fiscal Review 3-30-11) - Funderburk
- 3 HB 423 - Burlison

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-SIXTH DAY, THURSDAY, MARCH 31, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is the nation whose God is the Lord. (Psalm 33:12)

O God, our Master, You are the creator and the sustainer of all mankind, without Whose blessing all our labor is in vain, we pray that our lives may be built not upon the shifting sands of superficial and shallow living but upon the rock of eternal truth and enduring love - so we come to offer unto You once again the devotion of our hearts, the dedication of our minds, and the discipline of our lives. May this moment of devotion at the end of this business week be the open door to an increasing fellowship with You and with one another.

We are mindful of the experiences and the events which bind us together as a state. By a common devotion to a common cause - the welfare of our beloved land - may we close ranks and by understanding and sympathy and good will bring together our different classes, heal the rift between peoples and make us a state united in spirit, eager to do Your will and to keep Your commandments. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elizabeth Graver, Charlotte Kenney, Samuel Pruitt, Maddie Gardner, Isabel Hart, AJ Lynn, Kylie Stage, Tony Carr, Dustin Reeves, Nicole Andrews, Andrew Pierce, Trent Bernskoetter, Cheyenne Johnson, Kelsey Peckman, Tessa Kohley, Mykela Passley, Taylor Smith, Bria Mullings, Becca Jones, Jessica Maggard, Gail Burgard, Chelsy Carey and Ruth Dorton.

The Journal of the forty-fifth day was approved as printed.

HOUSE RESOLUTION

Representative Faith offered House Resolution No. 1479.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1453 through House Resolution No. 1478

House Resolution No. 1480 and House Resolution No. 1481

SECOND READING OF HOUSE BILLS

HB 926 through **HB 928** and **HB 930** through **HB 956** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 475** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 434, relating to co-employee liability for negligence, was taken up by Representative Nolte.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Franklin	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Bahr	Brown 50	Carter	Conway 14
Diehl	Fraker	Franz	Gatschenberger	Hough
Jones 117	Parkinson	Schad	Schneider	Swearingen
Zerr	Zimmerman			

VACANCIES: 001

On motion of Representative Nolte, **HB 434** was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Franklin
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hinson	Hoskins
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Brown 50	Conway 14	Fraker	Franz
Gatschenberger	Haefner	Hough	Jones 117	Parkinson
Schad	Swearingen	Zerr	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 475, relating to disclosure of health care data, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HB 475** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 011

Berry	Davis	Entlicher	Franklin	Frederick
Leach	Marshall	Schieber	Weter	White
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 007

Fraker	Franz	Jones 117	May	Schad
Swearingen	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 423, relating to a health care compact, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 423** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl Fraker Schad Swearingen Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 38, relating to notification of jail escapees, was taken up by Representative Pace.

On motion of Representative Pace, **HCS HB 38** was read the third time and passed by the following vote:

AYES: 149

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Colona	Curtman	Diehl	Fraker
Grisamore	May	Richardson	Schad	Swearingen
Talboy	Webb	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 68, relating to emergency telephone service misuse, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HB 68** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fraker	McGhee	Schad	Swearingen	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 98, relating to battery and hazardous waste fees, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 98** was read the third time and passed by the following vote:

AYES: 147

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 002

Curtman	Koenig
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PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Bahr	Fraker	Grisamore	Jones 63
McGhee	Parkinson	Quinn	Schad	Swearingen
Talboy	Zerr	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 003

Bahr	Curtman	Koenig
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PRESENT: 000

ABSENT WITH LEAVE: 006

Dugger	Ellinger	Fraker	Schad	Swearingen
Zimmerman				

VACANCIES: 001

HB 118, relating to ex parte orders of protection, was taken up by Representative Peters-Baker.

On motion of Representative Peters-Baker, **HB 118** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fraker	Redmon	Schad	Swearingen	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 183, relating to the Kansas City Police Retirement System, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 183** was read the third time and passed by the following vote:

AYES: 156

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Diehl	Fraker	Redmon	Swearingen
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HBs 187 & 54, relating to political party emblems on ballots, was taken up by Representative Conway (27).

On motion of Representative Conway (27), **HCS HBs 187 & 54** was read the third time and passed by the following vote:

AYES: 149

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Brown 85	Marshall	May	Sifton	Webb
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PRESENT: 000

ABSENT WITH LEAVE: 008

Allen	Day	Diehl	Fraker	Redmon
Swearingen	Talboy	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 263, relating to local government employees' retirement system, was taken up by Representative Weter.

On motion of Representative Weter, **HB 263** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Diehl	Fraker	Haefner	Redmon
Swearingen	Zerr	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 287, relating to health care identification badges, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 287** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lichtenegger	Loehner	May
McDonald	McGeoghegan	McManus	McNary	Meadows
Montecillo	Nance	Nasheed	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Wallingford	Webb	Webber	Wells
Weter	Wright	Wyatt	Zerr	Mr Speaker

NOES: 036

Asbury	Bahr	Burlison	Crawford	Curtman
Elmer	Franklin	Franz	Fuhr	Haefner
Higdon	Hughes	Hummel	Koenig	Lasater
Lauer	Leach	Long	Marshall	McCaherty
McCann Beatty	McNeil	Molendorp	Neth	Newman
Nichols	Parkinson	Peters-Baker	Sater	Schad
Schieber	Smith 71	Torpey	Walton Gray	White
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Fraker	Leara	McGhee	Swearingen
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 340, relating to county jails, was taken up by Representative Klippenstein.

On motion of Representative Klippenstein, **HB 340** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fraker	Leara	Swearingen	Talboy	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 008

Black	Carlson	Hughes	Kirkton	McNeil
Schupp	Smith 71	Spreng		

PRESENT: 000

ABSENT WITH LEAVE: 007

Asbury	Brown 50	Dieckhaus	Fraker	May
Swearingen	Zimmerman			

VACANCIES: 001

Representative Keeney assumed the Chair.

HCS HB 344, relating to a farm-to-table advisory board, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HCS HB 344** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Diehl	Fraker	Hughes
May	Peters-Baker	Swearingen	Talboy	Wright
Zimmerman				

VACANCIES: 001

Representative Keeney declared the bill passed.

HB 462, relating to the Missouri Energy Task Force, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 462** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 012

Carlson	Ellinger	Hubbard	Hughes	McCann Beatty
McNeil	Oxford	Pace	Schupp	Sifton
Smith 71	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 021

Bahr	Conway 14	Day	Diehl	Faith
Fraker	Franz	Funderburk	Gatschenberger	Holsman
Jones 63	Leara	Molendorp	Parkinson	Redmon
Schneider	Swearingen	Talboy	Zerr	Zimmerman
Mr Speaker				

VACANCIES: 001

Representative Keeney declared the bill passed.

HB 503, relating to presidential primary elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 503** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Franklin	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 002

Hughes	Kelly 24
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PRESENT: 000

ABSENT WITH LEAVE: 019

Asbury	Bahr	Conway 14	Day	Diehl
Faith	Fraker	Franz	Funderburk	Gatschenberger
Klippenstein	Leara	Parkinson	Schneider	Swearingen
Talboy	Zerr	Zimmerman	Mr Speaker	

VACANCIES: 001

Representative Keeney declared the bill passed.

HCS HB 578, relating to disposal of used tires, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 578** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Conway 14	Day	Diehl	Faith
Fraker	Funderburk	Gatschenberger	Guernsey	Holsman
Leara	Parkinson	Schneider	Swearingen	Zerr
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Keeney declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 45 - Children and Families
HCR 46 - International Trade and Job Creation
HCR 48 - Utilities

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 27 - Tax Reform
HB 57 - Health Care Policy
HB 59 - Elementary and Secondary Education
HB 67 - Health Care Policy
HB 69 - Transportation
HB 175 - Ways and Means
HB 176 - Crime Prevention and Public Safety
HB 243 - Higher Education
HB 244 - Higher Education
HB 443 - Professional Registration and Licensing
HB 444 - Professional Registration and Licensing
HB 460 - Elementary and Secondary Education
HB 500 - Transportation
HB 514 - Elementary and Secondary Education
HB 570 - Elementary and Secondary Education
HB 608 - Transportation
HB 610 - Transportation
HB 624 - Elementary and Secondary Education
HB 645 - Local Government
HB 703 - Workforce Development and Workplace Safety
HB 707 - International Trade and Job Creation
HB 741 - Small Business
HB 774 - Budget
HB 780 - Economic Development
HB 781 - Crime Prevention and Public Safety

HB 782 - Tourism and Natural Resources
HB 799 - Crime Prevention and Public Safety
HB 800 - Elementary and Secondary Education
HB 803 - Corrections
HB 804 - Children and Families
HB 805 - Judiciary
HB 806 - International Trade and Job Creation
HB 807 - Workforce Development and Workplace Safety
HB 808 - Agri-Business
HB 809 - Urban Issues
HB 810 - Financial Institutions
HB 811 - Financial Institutions
HB 821 - Health Care Policy
HB 834 - Retirement
HB 835 - Elementary and Secondary Education
HB 836 - Special Standing Committee on Disability Services
HB 846 - Transportation
HB 848 - Higher Education
HB 854 - Crime Prevention and Public Safety
HB 857 - Transportation
HB 862 - Health Care Policy
HB 864 - General Laws
HB 868 - Transportation
HB 869 - Crime Prevention and Public Safety
HB 871 - Workforce Development and Workplace Safety
HB 872 - Judiciary
HB 874 - Judiciary
HB 878 - Health Insurance
HB 880 - Tax Reform
HB 881 - Professional Registration and Licensing
HB 882 - Professional Registration and Licensing
HB 890 - Financial Institutions
HB 895 - Transportation
HB 896 - Retirement
HB 899 - Insurance Policy
HB 904 - Agriculture Policy
HB 906 - Transportation
HB 908 - International Trade and Job Creation
HB 910 - Workforce Development and Workplace Safety
HB 912 - Transportation
HB 917 - Local Government
HB 918 - Local Government
HB 926 - Local Government
HB 932 - General Laws
HB 940 - Local Government

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 7 - Transportation Funding and Public Institutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS#2 SCS SB 8 - Workforce Development and Workplace Safety

SS SCS SB 13 - Elementary and Secondary Education

SCS SB 17 - Health Care Policy

SB 33 - Judiciary

SB 38 - Health Care Policy

SS SCS SB 58 - Transportation

SB 71 - Financial Institutions

SB 77 - Transportation

SB 83 - Financial Institutions

SB 101 - Insurance Policy

SCS SB 131 - Transportation

SCS SB 133 - Transportation

SS SB 135 - Tourism and Natural Resources

SB 145 - Local Government

SB 161 - Agri-Business

SCS SB 162 - Agri-Business

SCS SB 163 - Higher Education

SCS SB 166 - Insurance Policy

SB 173 - Transportation Funding and Public Institutions

SB 180 - Tourism and Natural Resources

SB 207 - Utilities

SCS SB 219 - Financial Institutions

SB 220 - Judiciary

SB 243 - Elementary and Secondary Education

SB 250 - Crime Prevention and Public Safety

SB 284 - Health Care Policy

COMMITTEE REPORTS

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, the federal Patient Protection and Affordable Care Act (PPACA), also known as ObamaCare, has been ruled unconstitutional in its entirety by the Florida Federal District Court, and the individual mandate contained in the PPACA requiring the purchase of insurance was ruled unconstitutional by Judge Henry Hudson in Federal District Court in Virginia; and

WHEREAS, the President of the United States, while addressing the issue of an individual mandate to purchase health insurance as a United States Senator in 2008, stated that "If a mandate was the solution, we can try that to solve homelessness by mandating everybody to buy a house."; and

WHEREAS, in the August 2010 primary election, the citizens of Missouri have expressed their clear opposition to the individual mandate by passing Missouri Health Care Freedom, Proposition C by a 71% margin; and

WHEREAS, each house of the Missouri General Assembly has requested that the Governor and the Attorney General of the State of Missouri join in the legal challenge to the PPACA, so far to no avail; and

WHEREAS, considerable time, effort, and money has been, are being, and will continue to be expended attempting to comply with the mandates of the PPACA, which may ultimately be wasted time, energy, and money if the PPACA is subsequently found by the United States Supreme Court to be unconstitutional; and

WHEREAS, the federal Court of Appeals process can be protracted and may well take up to two years for this issue to work its way through the appellate process and then ultimately to the United States Supreme Court; and

WHEREAS, such a lengthy delay of a final determination by the United States Supreme Court regarding the constitutionality of the PPACA would be extremely harmful to the State of Missouri and will cause substantial waste of state resources at a time when such resources are scarce; and

WHEREAS, allowing the waste of substantial amounts of state resources and uncertainty to continue when clarity could be provided is not good stewardship on the part of any elected state official:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Governor and Attorney General of the State of Missouri to send a letter to the President of the United States informing him of the urgency with which they view the need for a prompt resolution to the constitutional questions that have arisen regarding the federal Patient Protection and Affordable Care Act and further urge the President to take all actions within his powers to facilitate a hearing of this constitutional question by the United States Supreme Court at the earliest possible time; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and President Barack Obama.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was returned **HCS HB 609**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate, with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 708**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 52, introduced by Representatives Brown (85), Bahr, Houghton, Nance, Lant, Reiboldt, Barnes, Haefner, Guernsey, Marshall, Lasater, Franklin, Wyatt, Entlicher, Berry, Klippenstein, Leach, Stream, McCaherty, Koenig, Curtman, Gatschenberger, Long, Cross, Hinson, Funderburk, Elmer, Wieland, Davis, White and Schoeller, relating to accountability for gambling receipts.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 37, introduced by Representative Hughes, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 957, introduced by Representatives Barnes, Riddle, Schoeller, Loehner, Redmon, Higdon, Gatschenberger, Dugger, Cookson, Bernskoetter, Korman, Neth, Schieber, Leach, Berry, Reiboldt, Lant, Frederick, Bahr, Gosen, Cross, Houghton, Dieckhaus, Asbury, Lasater, Franklin, McNary, Brattin, Fraker, Cauthorn, Kelly (24), Fuhr, Brown (85), Davis, Torpey, Kelley (126), Molendorp, Hinson, Colona, Hummel, Kratky, McDonald, Taylor, Rizzo, McGeoghegan, McManus and Atkins, relating to service rates for electrical corporations.

HB 958, introduced by Representative Burlison, relating to the children in crisis tax credit.

HB 959, introduced by Representatives Pollock, Dugger and Wells, relating to candidates for certain municipal offices.

HB 960, introduced by Representative Ruzicka, relating to the statute of limitations.

HB 961, introduced by Representative Atkins, relating to towing truck companies.

HB 962, introduced by Representatives Kratky, Fallert, Colona and Hummel, relating to a tax credit for renovation of rental property.

HB 963, introduced by Representatives Fitzwater, Burlison, Redmon and Lasater, relating to a special license plate.

HB 964, introduced by Representative Aull, relating to school annexation.

HB 965, introduced by Representative Fallert, relating to fuel regulation.

HB 966, introduced by Representative Funderburk, relating to the implementation of the streamlined sales and use tax agreement.

HB 967, introduced by Representative Smith (150), relating to the public service commission's appellate procedures.

HB 968, introduced by Representatives Schad and Pollock, relating to watercraft.

HB 969, introduced by Representatives Franklin, Brown (85) and Pollock, relating to law enforcement districts.

HB 970, introduced by Representative Funderburk, relating to sales and use taxes.

HB 971, introduced by Representative Johnson, relating to the Missouri jobs for education program.

HB 972, introduced by Representative Johnson, relating to certain companies developing the department of economic development's internet websites.

HB 973, introduced by Representatives Korman, Nolte, Long, Kelley (126), Taylor, Scharnhorst, Curtman, Redmon, Lichtenegger, Denison, McNary, Hoskins, Smith (150), Schieffer and Houghton, relating to a sales tax holiday for products made in the United States.

HB 974, introduced by Representatives Hough, Lampe, Tilley, Talboy, Hinson, Jones (63), Richardson, Webber, Dugger, and Conway (27), relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

HB 975, introduced by Representatives Curtman and McCaherty, relating to small businesses.

HB 976, introduced by Representative Johnson, relating to corporate income tax rates.

HB 977, introduced by Representative Johnson, relating to motor vehicles.

HB 978, introduced by Representatives Carter, Schoeller, Oxford, Hummel, Webb, Colona, Jones (63), Hughes, Walton Gray, May, Atkins and Schieffer, relating to caseload standards for certain state agencies.

HB 979, introduced by Representatives Brattin, Koenig, Conway (14), Davis, White, Johnson, Tilley, McNary, Smith (150), Lasater, Burlison, Largent, Kelley (126), Molendorp, Sater, Solon and Long, relating to tax rates and credits.

HB 980, introduced by Representatives Leach, Dieckhaus, Fitzwater and Berry, relating to classroom placement of children.

HB 981, introduced by Representatives Leach, Dieckhaus, Fitzwater, Faith, Lant, Bahr, Lair, Burlison, Rowland, Jones (89), Long, Koenig, Curtman, Scharnhorst, Barnes and Lasater, relating to classroom placement of children.

HB 982, introduced by Representatives Jones (117), Torpey, Schieber and White, relating to radiology benefit managers.

HB 983, introduced by Representative Meadows, relating to persons who are in the United States illegally.

HB 984, introduced by Representative Meadows, relating to labeling of genetically modified food and food products.

HB 985, introduced by Representatives Anders, Montecillo, Carlson, McDonald and Walton Gray, relating to restrictions on the residence of sexual offenders.

HB 986, introduced by Representatives Wallingford, Lant, Fitzwater, Korman and Hampton, relating to unemployment benefits.

HB 987, introduced by Representatives Rowland, Cross and Phillips, relating to common interest owners bill of rights act.

HB 988, introduced by Representative Wieland, relating to long-term care insurance rates.

HB 989, introduced by Representative Webber, relating to the establishment of a commission on workforce preparedness.

HB 990, introduced by Representative Fallert, relating to fuel regulation.

HB 991, introduced by Representatives Lichtenegger, Schupp and Fuhr, relating to mechanic's liens.

HB 992, introduced by Representatives May, Carter, Pace, Spreng, McNary, Anders, Walton Gray, Pierson, Carlson, Schupp, Harris, Haefner, Wyatt, Guernsey, Smith (71), Nasheed, Marshall, Webb, Hubbard, Conway (27), Fitzwater and Hughes, relating to the designation of bone marrow awareness month.

HB 993, introduced by Representative Meadows, relating to counties contracting out probation services.

HB 994, introduced by Representatives McNary, Stream, Lair, Jones (89), Allen, Diehl, Dieckhaus, Barnes, Scharnhorst, Koenig, Gatschenberger, Schoeller, Frederick and Fuhr, relating to school accreditation.

HB 995, introduced by Representative Walton Gray, relating to a tax force on alternative confinement for victims of human sex trafficking.

HB 996, introduced by Representatives Harris, Meadows and Ellinger, relating to the common interest owners bill of rights act.

HB 997, introduced by Representative Kirkton, relating to child support.

HB 998, introduced by Representatives Kirkton, Holsman and Oxford, relating to public financing of certain election campaigns.

HB 999, introduced by Representative Schad, relating to sexual offender registration.

HB 1000, introduced by Representative Diehl, relating to the composition of congressional districts.

HB 1001, introduced by Representative Diehl, relating to the composition of congressional districts.

HB 1002, introduced by Representative Talboy, relating to video lottery.

HB 1003, introduced by Representatives Hampton, Guernsey, Richardson, Lichtenegger, Wright, Swinger, Hodges, Smith (150) and Redmon, relating to private nuisances.

HB 1004, introduced by Representative Lampe, relating to obsolete education statutes.

HB 1005, introduced by Representative Lampe, relating to harmonizing and eliminating obsolete education provisions.

HB 1006, introduced by Representatives Schatz, Holsman, Nolte, Korman, Harris, Walton Gray, Smith (71), McNeil, Frederick, Hampton, Hinson, Richardson, Cauthorn, Wallingford, Pollock and Curtman, relating to the joint committee on renewable technology and industrial onsite energy generation.

HB 1007, introduced by Representative Long, relating to appeal procedures for dismissed nonmerit state employees.

HB 1008, introduced by Representatives Long, Rowland, Phillips, Stream, Fisher, Lair, Grisamore, McCaherty, Frederick, Brattin, Davis, Higdon, Elmer, Crawford, White, Wieland, Denison, Lauer, Cross, Ruzicka, Hinson, Nance, Nolte, Burlison, Wallingford, Korman, Jones (117), Berry, Weter, Pollock, Schoeller, Jones (89), Smith (150), Neth, Lampe, Riddle and Tilley, relating to highway infrastructure improvement agreements.

HB 1009, introduced by Representative Marshall, relating to state liabilities.

HB 1010, introduced by Representatives Bahr, Koenig, Schoeller, Leach, Conway (14) and Long, relating to the federal health care reform law.

HB 1011, introduced by Representative Hughes, relating to hunting.

HB 1012, introduced by Representative Hughes, relating to the secretary of state.

HB 1013, introduced by Representative Hughes, relating to the labeling of food.

HB 1014, introduced by Representative Hughes, relating to medical malpractice court cases.

HB 1015, introduced by Representatives Hughes, Shively, Hodges, Schieffer and Quinn, relating to farm commodities.

HB 1016, introduced by Representative Hughes, relating to income tax withholding.

HB 1017, introduced by Representative Oxford, relating to the temporary governance of a school district located in a city not within a county.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 57**, entitled:

An act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 96**, entitled:

An act to authorize the conveyance of state properties in St. Francois County.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 97**, entitled:

An act to authorize the conveyance of state property owned by the state to the City of Farmington.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 62**, entitled:

An act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 226**, entitled:

An act to repeal sections 190.035 and 190.040, RSMo, and to enact in lieu thereof three new sections relating to ambulance districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 282**, entitled:

An act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to dates of conducting elections.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

March 31, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

RE: **House Bill No. 965**

Dear Adam:

I respectfully request **House Bill No. 965**, relating to fuel regulation, be WITHDRAWN.

Thank you for your assistance.

Sincerely,

/s/ Joseph Fallert, Jr.
State Representative
District 104

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, April 1, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, April 5, 2011, 9:00 AM Office of Representative Mike McGhee Room 414.
Member expenses.

ELECTIONS

Tuesday, April 5, 2011, 8:15 AM House Hearing Room 5.
Public hearing will be held: HJR 23, HB 535, HB 723, HB 436
Executive session will be held: HCS SJR 2, HCS SB 3
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: SCS SB 163, HB 494, HB 243, HB 848
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 4, 2011, House Hearing Room 1 upon evening adjournment.
Public hearing will be held: HB 773, SB 101
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting. Oversight reports.
Some portions may be closed pursuant to Section 610.021.

URBAN ISSUES

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.
Public hearing will be held: HB 208
Executive session will be held: HB 754, HB 712, HCR 43, HB 643
Executive session may be held on any matter referred to the committee.
AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 4, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 893
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SEVENTH DAY, FRIDAY, APRIL 1, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 52

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 37

HOUSE BILLS FOR SECOND READING

- 1 HB 957 through HB 964
- 2 HB 966 through HB 1017

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 192 - Jones (89)
- 8 HCS HB 336 - Burlison
- 9 HB 458 - Loehner
- 10 HCS HBs 470 & 429 - Funderburk
- 11 HB 490 - Diehl
- 12 HCS HB 641 - Franz
- 13 HCS HB 468 - Diehl
- 14 HCS HB 473 - Jones (63)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte

- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)

822 *Journal of the House*

- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

SENATE BILLS FOR SECOND READING

- 1 SCS SB 57
- 2 SS#2 SCS SB 62
- 3 SB 96
- 4 SB 97
- 5 SS SB 226
- 6 SB 282

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-SEVENTH DAY, Friday, April 1, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

Prayer by Chris Girouard, Office of the Minority Floor Leader.

Let us pray that, today and in the approaching weeks, we will have the wisdom and compassion, empathy and humility, to make the best decisions, despite our faults and limitations, for the people of Missouri, now and to come. Amen.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 52 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 37 was read the second time.

SECOND READING OF HOUSE BILLS

HB 957 through **HB 964** and **HB 966** through **HB 1017** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 57, **SS#2 SCS SB 62**, **SB 96**, **SB 97**, **SS SB 226** and **SB 282** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 924 - International Trade and Job Creation

HB 1008 - Rural Community Development

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 357**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 366**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 38, introduced by Representative Barnes, relating to public aid for education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1018, introduced by Representatives Kander, Rizzo, Still, Atkins, Gosen, Smith (71), Oxford, Quinn and Lampe, relating to mortgage foreclosures.

HB 1019, introduced by Representative Diehl, relating to distressed municipalities.

HB 1020, introduced by Representative Barnes, relating to medical benefits for temporomandibular joint disorder (TMJ) under the Missouri consolidated health care plan.

HB 1021, introduced by Representatives Nolte, Smith (71), Lant and Brown (50), relating to caller location information.

HB 1022, introduced by Representatives Nolte, Lant and Brown (50), relating to stolen information technology.

HB 1023, introduced by Representative Kelly (24), relating to cigarette taxes.

HB 1024, introduced by Representative Korman, relating to drug court commissioners in the twelfth judicial circuit.

HB 1025, introduced by Representative Diehl, relating to the appointment of certain circuit clerks.

HB 1026, introduced by Representative Kirkton, relating to mental health insurance.

HB 1027, introduced by Representative Grisamore, relating to MO HealthNet benefits.

HB 1028, introduced by Representative Hough, relating to the compete Missouri training program.

The following members' presence was noted: Casey, Grisamore, Hodges, Jones (117), Kelly (24), Kirkton, Koenig, Kratky, McCann Beatty, Meadows, Pace and Smith (71).

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, April 4, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, April 5, 2011, 9:00 AM Office of Representative Mike McGhee Room 414.
Member expenses.

AGRI-BUSINESS

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 4.
Public hearing will be held: SB 161, SCS SB 162, HB 808
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 797, HB 904
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 4, 2011, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 383, HB 652, HB 854
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 5, 2011, House Hearing Room 7 upon afternoon adjournment.
Public hearing will be held: HB 649
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 5, 2011, 8:15 AM House Hearing Room 5.
Public hearing will be held: HJR 23, HB 535, HB 723, HB 436,
Executive session will be held: HCS SJR 2, HCS SB 3
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 5, 2011, House Hearing Room 5 upon morning recess.

Public hearing will be held: HB 314, HB 273, HB 460, HB 829

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 679, HB 476, HB 764

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 163, HB 494, HB 243, HB 848

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 4, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 773, SB 101

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting. Oversight reports.

Some portions may be closed pursuant to Section 610.021.

LOCAL GOVERNMENT

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 940, HB 926, HB 918, HB 917, HB 645, SB 145, HB 889

Executive session may be held on any matter referred to the committee.

AMENDED

RULES

Wednesday, April 6, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, April 4, 2011, 2:00 PM House Hearing Room 5.

Executive Session will be held: HCR 30, HCR 31, HCR 37, HCS HCR 39, HCS HB 111, HCS HBs 223 & 231, HB 291, HCS HB 401, HCS HB 407, HCS HB 430, HCS HB 464, HCS HB 555, HB 591, HCS#2 HB 609, HB 655, HCS HB 657, HB 677, HCS HB 697, HB 737, HCS HB 840, HCS HB 856

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 55, HB 1008

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, April 4, 2011, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 836

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, April 5, 2011, 1:00 PM House Hearing Room 3.

Public hearing will be held: HB 193

Executive session will be held: HB 193

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 299, HB 846, SS SCS SB 58, SB 77, SCS SB 131, SCS SB 133

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 208

Executive session will be held: HB 754, HB 712, HCR 43, HB 643

Executive session may be held on any matter referred to the committee.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 4, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 893

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-EIGHTH DAY, MONDAY, APRIL 4, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 38

HOUSE BILLS FOR SECOND READING

HB 1018 through HB 1028

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 192 - Jones (89)
- 8 HCS HB 336 - Burlison
- 9 HB 458 - Loehner
- 10 HCS HBs 470 & 429 - Funderburk
- 11 HB 490 - Diehl
- 12 HCS HB 641 - Franz
- 13 HCS HB 468 - Diehl
- 14 HCS HB 473 - Jones (63)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner

- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)

830 *Journal of the House*

- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, MONDAY, APRIL 4, 2011

The House met pursuant to adjournment.

Representative Leara in the Chair.

Prayer by Pastor Paul Meinsen.

Asaph the songwriter wrote about God, "Call on Me in a day of trouble; I will rescue you and you will honor Me."
(*Psalms 50:15*)

We call upon You today, O Lord, for I know, just by making the rounds, that many here are in a day of trouble. Some have recently lost loved ones in death; some have trouble with health in themselves or their families. Others are having trouble with unforeseen events that cause many sleepless nights, heartaches and worries. Others, O Lord, have troubles with the everyday concerns of serving the people of their district and this state - they are seeking wisdom and direction, needing to know what is best and right in their daily decisions.

So I lift these members of our Missouri leadership, Lord, to You in prayers. You are all-knowing, thus You know the troubles each person here is bearing. You also know the answer which will best serve them. Therefore, I pray that You will deliver each in the way that You know is best.

In turn, Lord, may we honor You with praises and much thanksgiving. May we also honor You by trusting in You, especially if we do not understand Your answer.

Draw each person here to Yourself. Answer our prayers and bring much honor to Your name.

To You and Your Son be all glory, honor, majesty and praise.

It is in Your Son's name, I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandra Kratky and Payton Moise.

The Journal of the forty-sixth day was approved as printed.

The Journal of the forty-seventh day was approved as printed.

Speaker Pro Tem Schoeller assumed the Chair.

SPECIAL RECOGNITION

Public School Retirement System Director Steve Yoakum and Chief Investment Officer Craig Huston were introduced by Representative Cookson and presented a resolution.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1482 through House Resolution No. 1553

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 38 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1018 through **HB 1028** were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 15, relating to “Buck O’Neil Day,” was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCR 15** was adopted.

HCR 33, relating to the Honor and Remember Flag, was taken up by Representative Davis.

On motion of Representative Davis, **HCR 33** was adopted.

HCR 34, relating to the Mark Twain National Forest, was taken up by Representative Hampton.

On motion of Representative Hampton, **HCR 34** was adopted.

HCR 11, relating to the Liberty Memorial, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCR 11** was adopted.

HCR 7, relating to women veterans, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 7** was adopted.

HCS HCR 17, relating to the Mississippi River Basin, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS HCR 17** was adopted.

PERFECTION OF HOUSE BILLS

HB 458, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 458** was ordered perfected and printed.

HCS HB 641, relating to controlled substances, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 641, Page 9, Section 195.010, Line 294, by deleting all of said line and inserting in lieu thereof the following:

"but not limited to any substance listed in paragraph (ll) of subdivision (4) of subsection"; and

Further amend said bill, Pages 13 to 15, Section 195.017, Lines 109 to 191, by deleting all of said lines and inserting in lieu thereof the following:

- "(n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts of isomers;
- (o) Alpha-ethyltryptamine;
- (p) Alpha-methyltryptamine;
- (q) Bufotenine;
- [(r) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- (s)] **(r)** Diethyltryptamine;
- [(t)] **(s)** Dimethyltryptamine;
- [(u)] **(t)** 5-methoxy-N,N-diisopropyltryptamine;
- [(v)] **(u)** Ibogaine;
- [(w) Indole, or 1-butyl-3(1-naphthoyl)indole;
- (x) Indole, or 1-pentyl-3(1-naphthoyl)indole;
- (y)] **(v)** Lysergic acid diethylamide;
- [(z)] **(w)** Marijuana or marihuana;
- [(aa)] **(x)** Mescaline;
- [(bb)] **(y)** Parahexyl;
- [(cc)] **(z)** Peyote, to include all parts of the plant presently classified botanically as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;
- [(dd) Phenol, CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n-4,6, or 7;
- (ee)] **(aa)** N-ethyl-3-piperidyl benzilate;
- [(ff)] **(bb)** N-methyl-3-piperidyl benzilate;
- [(gg)] **(cc)** Psilocybin;
- [(hh)] **(dd)** Psilocyn;
- [(ii)] **(ee)** Tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:
 - a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
 - b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
 - c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
 - d. Any compounds of these structures, regardless of numerical designation of atomic positions covered;

- [(jj)] (ff) Ethylamine analog of phencyclidine;
- [(kk)] (gg) Pyrrolidine analog of phencyclidine;
- [(ll)] (hh) Thiophene analog of phencyclidine;
- [(mm)] (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- [(nn)] (jj) Salvia divinorum;
- [(oo)] (kk) Salvinorin A;

(ll) Synthetic cannabinoids:

a. Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

- (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
- (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
- (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
- (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

d. Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
- (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
- (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
- (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
- (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

(i) CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, where side chain n=5, and homologues where side chain n=4,6, or 7;

f. Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
- (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

- h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- k. Dimethylheptylpyran, or DMHP;" and

Further amend said bill, Pages 15 and 16, Section 195.017, Lines 206 to 212, by deleting all of said lines and inserting in lieu thereof the following:

- "(e) 3-Fluoromethcathinone;
- (f) 4-Fluoromethcathinone;
- (g) Mephedrone, or 4-methylmethcathinone;
- [(e)] (h) Methcathinone;
- (i) 4-methoxymethcathinone;
- [(f)] (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline);
- (k) Methylenedioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone);
- (l) Methylone, or 3,4-Methylenedioxypropylmethcathinone;
- (m) 4-Methyl-alpha-pyrrolidinobutyphenone, or MPBP;
- [(g)] (n) N-ethylamphetamine;
- [(h)] (o) N,N-dimethylamphetamine;" and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 641, Page 29, Section 195.202, Line 17, by inserting after all of said section and line the following:

"195.217. 1. A person commits the offense of distribution of a controlled substance near a park if such person violates section 195.211 by unlawfully distributing or delivering heroin, cocaine, **cocaine base**, LSD, amphetamine, or methamphetamine to a person in or on, or within one thousand feet of, the real property comprising a public park, state park, county park, or municipal park or a public or private park designed for public recreational purposes, as park is defined in section 253.010.

- 2. Distribution of a controlled substance near a park is a class A felony." and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

On motion of Representative Franz, **HCS HB 641, as amended**, was adopted.

On motion of Representative Franz, **HCS HB 641, as amended**, was ordered perfected and printed.

HCS HB 192, relating to environmental protections, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HCS HB 192** was adopted.

On motion of Representative Jones (89), **HCS HB 192** was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 3, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HJR 3** was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 034

Atkins	Carlson	Carter	Colona	Ellinger
Hummel	Jones 63	Kander	Kirkton	Kratky
McCann Beatty	McDonald	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Faith

Hughes

McGeoghegan

Schneider

Zimmerman

VACANCIES: 001

On motion of Representative Loehner, **HCS HJR 3** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HBs 470 & 429, relating to a nonresident entertainer income tax, was taken up by Representative Funderburk.

HCS HBs 470 & 429 was laid over.

COMMITTEE REPORTS

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 253** and **HB 398**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 211**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SCS SB 188**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 111**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 223 & 231**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 407**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 609**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 655**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 657**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 677**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 697**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 737**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 840**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 856**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 863 - Professional Registration and Licensing

HB 967 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 19 - Fiscal Review (Fiscal Note)

SCS SB 57 - Judiciary

SS#2 SCS SB 62 - Health Care Policy

SB 96 - Local Government

SB 97 - Local Government

SB 282 - Elections

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 32, HCS HB 70, HB 79, HB 88, HB 101, HB 141, HCS HB 143, HB 182, HCS HB 197, HB 199, HCS HB 220, HB 256, HCS HB 259, HB 260, HB 264, HCS HB 265, HB 270, HB 272, HB 307, HB 327, HCS HB 354, HCS HB 369, HB 388, HB 402, HCS HB 412, HB 448, HB 484, HB 499, HCS HB 506, HB 513, HB 525, HCS HB 545, HCS HB 548, HB 550, HCS HB 556, HCS HB 557, HB 560, HB 561, HCS HB 604, HCS HB 630, HCS HB 631, HB 648, HB 667, HB 673, HB 675, HB 678, HB 738, HB 746, HB 749, HB 795, HB 798, HB 812, HB 813 and HCS HB 825.**

The following member's presence was noted: McGeoghegan.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 5, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, April 5, 2011, 9:00 AM Office of Representative Mike McGhee Room 414.
Member expenses.

AGRI-BUSINESS

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 4.
Public hearing will be held: SB 161, SCS SB 162, HB 808
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 797, HB 904
Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Presentation of Capital Improvements, Maintenance & Repair, and
Reappropriations to the House Budget Committee.

BUDGET

Thursday, April 7, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of Capital Improvements, Maintenance & Repair, and
Reappropriations Presentations.

CORRECTIONS

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 803
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 5, 2011, House Hearing Room 7 upon afternoon adjournment.
Public hearing will be held: HB 649
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 5, 2011, 8:15 AM House Hearing Room 5.
Public hearing will be held: HJR 23, HB 535, HB 723, HB 436
Executive session will be held: HCS SJR 2, HCS SB 3
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 5, 2011, House Hearing Room 5 upon morning recess.
Public hearing will be held: HB 314, HB 273, HB 460, HB 829
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 679, HB 476, HB 764
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2011, 8:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 4.
Public hearing will be held: HJR 32, HB 932
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: SCS SB 17, SB 38, SB 284, HB 821
Executive session will be held: HB 851, HB 838
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: SCS SB 163, HB 494, HB 243, HB 848
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 6, 2011, 12:00 PM Room 315.
Lunch

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting. Oversight reports.
Some portions may be closed pursuant to Section 610.021.

LOCAL GOVERNMENT

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 940, HB 926, HB 918, HB 645, SB 145, HB 889

Executive session may be held on any matter referred to the committee.

AMENDED

RULES

Wednesday, April 6, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, April 5, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Committee to consider bills referred from Special Standing Committee on Redistricting including HCS HB193.

AMENDED

RURAL COMMUNITY DEVELOPMENT

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 55, HB 1008

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 741

Executive session will be held: HB 322, HB 403, HB 644

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, April 5, 2011, 12:30 PM House Hearing Room 3.

Public hearing will be held: HB 193

Executive session will be held: HB 193

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, April 5, 2011, House Hearing Room 6 upon afternoon adjournment.

Public hearing will be held: HB 716, HB 839

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, April 6, 2011, 8:30 AM House Hearing Room 4.

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, April 6, 2011, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 736, HB 520

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 299, HB 846, SS SCS SB 58, SB 77, SCS SB 131, SCS SB 133

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HCR 48, SB 207

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-NINTH DAY, TUESDAY, APRIL 5, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8 - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 336 - Burlison
- 8 HCS HBs 470 & 429 - Funderburk
- 9 HB 490 - Diehl
- 10 HCS HB 468 - Diehl
- 11 HCS HB 473 - Jones (63)
- 12 HCS HB 111 - Cox
- 13 HCS HBs 223 & 231 - Wallingford
- 14 HB 291 - Denison
- 15 HCS HB 401 - Diehl
- 16 HCS HB 407 - Wieland
- 17 HCS HB 430 - Burlison
- 18 HCS HB 464 - McNary
- 19 HCS HB 555 - Grisamore
- 20 HB 591 - Lichtenegger
- 21 HB 655 - Lampe

844 *Journal of the House*

- 22 HCS HB 657 - Allen
- 23 HB 677 - Wells
- 24 HCS HB 697 - Smith (150)
- 25 HB 737 - Redmon
- 26 HCS HB 840 - Jones (117)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr

- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 30, (3-31-11, Page 812) - Frederick
- 2 HCR 31, (3-17-11, Pages 694-695) - Cookson
- 3 HCS HCR 39, (3-17-11, Pages 696-697) - Leara

SENATE BILLS FOR THIRD READING

- 1 SCS SB 19 (Fiscal Review 4-4-11) - Nolte
- 2 SCS SB 108 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FORTY-NINTH DAY, TUESDAY, APRIL 5, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God is able to provide you in abundance for every good work. (II Corinthians 9:8)

O God, our Creator, Whom we seek to serve and to Whom we look for guidance, we bow before the altar of prayer offering unto You the gratitude and the loyalty of our hearts. We thank You for this new day fresh from Your hand with its possibilities for great and good living. By Your spirit may we always be honest and kind and forgiving; may we be generous in our criticism of others, patient with those who criticize us and considerate with those who differ from us. As we follow the Master who went about doing good, may we also stop merely going about and begin, like Him, to go about doing good to all.

Through this long day bless our beloved Speaker, members of the House and all who work with them. May the benediction of Your presence rest upon us all this day and every day. We recall the 150th anniversary of the Civil War - a conflict which changed our nation and state forever. Together lead us in the paths of unity and peace for Your Name's sake. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Wyatt Bowen and Alexandra Kratky.

The Journal of the forty-eighth day was approved as printed.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 1705.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1554 through House Resolution No. 1704

PERFECTION OF HOUSE BILLS

HCS HBs 470 & 429, relating to a nonresident entertainer income tax, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HBs 470 & 429** was adopted.

On motion of Representative Funderburk, **HCS HBs 470 & 429** was ordered perfected and printed.

HCS HB 336, relating to a tax credit to attract sporting events, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 336** was adopted.

On motion of Representative Burlison, **HCS HB 336** was ordered perfected and printed.

HCS HB 28, as amended, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Sater.

Representative Keeney assumed the Chair.

On motion of Representative Sater, **HCS HB 28, as amended**, was adopted.

On motion of Representative Sater, **HCS HB 28, as amended**, was ordered perfected and printed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 035

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty

McDonald	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Peters-Baker	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Faith	Hughes	McGeoghegan	Pace	Schneider
Webb	Zimmerman			

VACANCIES: 001

HCS HB 546, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending, relating to the Missouri Housing Development Commission, was taken up by Representative Kelly (24).

Speaker Tilley resumed the Chair.

Representative Webber moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Peters-Baker
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Brown 50	Colona	Faith	Holsman
Hughes	McDonald	McGeoghegan	McGhee	Nasheed
Pace	Pierson	Schneider	Webb	Zimmerman

VACANCIES: 001

Representative Webber again moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brown 85	Brown 116	Cauthorn	Conway 14
Cookson	Cox	Crawford	Davis	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Korman	Lair	Lant	Largent
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Parkinson	Phillips	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Smith 150
Still	Thomson	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 078

Anders	Atkins	Aull	Berry	Black
Brattin	Brown 50	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 27	Cross
Curtman	Dugger	Ellinger	Fallert	Franklin
Fuhr	Grisamore	Guernsey	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Klippenstein	Koenig	Kratky
Lampe	Lasater	Lauer	Leach	Marshall

May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Pierson	Quinn	Richardson	Rizzo
Schieber	Schieffer	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Hughes	McGeoghegan	Pace	Pollock
Schneider	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Kander, **House Amendment No. 1** was adopted by the following vote:

AYES: 081

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brattin	Brown 50	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Curtman	Ellinger	Fallert
Grisamore	Guernsey	Haefner	Harris	Higdon
Hodges	Holsman	Hoskins	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Kelly 24
Kirkton	Koenig	Kratky	Lampe	Largent
Lasater	Marshall	May	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Quinn	Rizzo	Schieber	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
White				

NOES: 073

Allen	Barnes	Bernskoetter	Brandom	Brown 85
Brown 116	Cauthorn	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Hampton
Hinson	Hough	Houghton	Jones 89	Keeney
Kelley 126	Klippenstein	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McNary	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz

Schieffer	Schoeller	Smith 150	Thomson	Wallingford
Webber	Wells	Weter	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dugger	Faith	Hughes	McGeoghegan	Pace
Schneider	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Kelly (24), **HCS HB 546, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS HB 546, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

COMMITTEE REPORTS

Special Standing Committee on Redistricting, Chairman Diehl reporting:

Mr. Speaker: Your Special Standing Committee on Redistricting, to which was referred **HB 193**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 193**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR APRIL 5, 2011

HOUSE BILL FOR PERFECTION

HCS HB 193 - Diehl

PERFECTION OF HOUSE BILL

HCS HBs 411 & 421, relating to residents of disability facilities, was taken up by Representative Wyatt.

On motion of Representative Wyatt, **HCS HBs 411 & 421** was adopted.

On motion of Representative Wyatt, **HCS HBs 411 & 421** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 550, relating to liens on vehicles and certain homes, was taken up by Representative Day.

On motion of Representative Day, **HB 550** was read the third time and passed by the following vote:

AYES: 146

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Brown 50	Faith	Fallert	Fraker
Funderburk	Holsman	Hughes	Kelly 24	May
McGeoghegan	Pace	Schneider	Shively	Webb
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 32, relating to heritage birth certificates, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 32** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Berry	Brown 50	Brown 116	Dieckhaus	Diehl
Ellinger	Faith	Funderburk	Hughes	May
McGeoghegan	Newman	Pace	Parkinson	Pollock
Quinn	Schneider	Spreng	Webb	Wells
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 70, relating to county highway commissions, was taken up by Representative Phillips.

On motion of Representative Phillips, **HCS HB 70** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Nasheed	Pace	Pollock	Schieber
Webb	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 79, relating to military medallions and medals, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 79** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Atkins	Brown 50	Day	Faith	Hughes
May	McGeoghegan	Pace	Wallingford	Webb
Webber	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

HB 88, relating to public administrators, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 88** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Brown 50	Carlson	Day	Faith
Grisamore	Hughes	Kander	May	McGeoghegan
Pace	Parkinson	Schupp	Webb	Zimmerman
Mr Speaker				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 101, relating to liquor and wine tasting, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 101** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Cauthorn	Faith	Hughes	Kander
May	McGeoghegan	Pace	Parkinson	Webb
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

HB 141, relating to the Heroes Way Interchange Designation Program, was taken up by Representative Black.

On motion of Representative Black, **HB 141** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Denison	Faith	Hughes	Kander
May	McGeoghegan	Pace	Parkinson	Webb
Zimmerman	Mr Speaker			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 143, relating to child abuse and neglect reports, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HCS HB 143** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Ellinger	Still
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PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Dugger	Faith	Funderburk
Hughes	May	McGeoghegan	Pace	Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 182, relating to Colon Cancer Awareness Day, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HB 182** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Neth	Pace	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 197, relating to umbilical cord blood banking, was taken up by Representative Jones (63).

On motion of Representative Jones (63), **HCS HB 197** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Black

PRESENT: 000

ABSENT WITH LEAVE: 012

Brandom	Brown 50	Day	Faith	Hampton
Hughes	May	McGeoghegan	Nasheed	Nolte
Pace	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 199, relating to intoxication-related offenses, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 199** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	Marshall	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Day	Faith	Hughes	Hummel
Jones 63	Leara	Loehner	May	McGeoghegan
McGhee	Newman	Nolte	Pace	Scharnhorst
Talboy	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 220, relating to real estate licensee liability, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 220** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Nolte	Pace	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 256, relating to the Basic Civil Legal Services Fund, was taken up by Representative Cox.

On motion of Representative Cox, **HB 256** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Nolte	Pace	Parkinson	Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 259, relating to foster care licensure information, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 259** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Conway 14	Day	Diehl
Faith	Hughes	May	McGeoghegan	Nasheed
Pace	Parkinson	Scharnhorst	Talboy	Torpey
Webb	Wright	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 260, relating to the Interstate Family Support Act, was taken up by Representative Cox.

On motion of Representative Cox, **HB 260** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Day	Diehl	Faith	Hughes
May	McGeoghegan	McGhee	Pace	Parkinson
Pierson	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HB 264, relating to the Manufacturing Jobs Act, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 264** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Pace	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HB 265, relating to professional licenses, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 265** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 008

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Pace	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

HB 270, relating to state employees health benefits, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 270** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Atkins

PRESENT: 002

Oxford Walton Gray

ABSENT WITH LEAVE: 012

Brown 50	Colona	Day	Faith	Hughes
Leara	May	McGeoghegan	Pace	Schneider
Spreng	Zimmerman			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 272, relating to the MO HealthNet Oversight Committee, was taken up by Representative Kirkton.

On motion of Representative Kirkton, **HB 272** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey

871 *Journal of the House*

Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Faith	Jones 63	May
McGeoghegan	Nasheed	Pace	Swearingen	Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 307, relating to a special license plate, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 307** was read the third time and passed by the following vote:

AYES: 133

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Nance	Neth	Newman
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 018

Anders	Hodges	Hughes	Jones 63	Kander
McCann Beatty	McDonald	Montecillo	Nasheed	Nichols
Pierson	Sifton	Smith 71	Spreng	Still
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Day	Diehl	Faith
Hubbard	May	McGeoghegan	Pace	Webber
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 327, relating to the Cape Girardeau County Circuit Court, was taken up by Representative Wallingford.

On motion of Representative Wallingford, **HB 327** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford

873 *Journal of the House*

Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Day	Diehl	Faith	Funderburk
May	McGeoghegan	McNeil	Pace	Spreng
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 369, relating to water service line repair fees, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 369** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Diehl	Faith	May
McGeoghegan	Pace	Webb	Zimmerman	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 388, relating to patient information requests, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 388** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Faith	May	McGeoghegan
Pace	Zimmerman			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 402, relating to architects, engineers and surveyors, was taken up by Representative Korman.

On motion of Representative Korman, **HB 402** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Casey	Day	Faith	Holsman
Kander	May	McGeoghegan	Newman	Pace
Talboy	Zimmerman			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 412, relating to wholesale drug distributors, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 412** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Berry	Brown 50	Day	Faith	May
McGeoghegan	Pace	Talboy	Zimmerman	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 448, relating to the Missouri Local Government Employees' Retirement System, was taken up by Representative Lair.

On motion of Representative Lair, **HB 448** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Walton Gray

ABSENT WITH LEAVE: 010

Brown 50	Conway 14	Day	Faith	Loehner
May	McGeoghegan	Pace	Talboy	Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 499, relating to driver's license competency, was taken up by Representative Wells.

On motion of Representative Wells, **HB 499** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 008

Barnes	Burlison	Colona	Elmer	Hughes
Kelly 24	Marshall	Richardson		

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Day	Dieckhaus	Faith	May
McGeoghegan	Pace	Zimmerman		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 506, relating to revision of prior tax levies, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **HCS HB 506** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Dieckhaus	Faith	May
McGeoghegan	Pace	Pollock	Zimmerman	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 513, relating to persons with mental disabilities, was taken up by Representative Newman.

On motion of Representative Newman, **HB 513** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 002

Sater	Schad
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PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Day	Dieckhaus	Faith
May	McGeoghegan	Nasheed	Pace	Pollock
Zimmerman	Mr Speaker			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 525, relating to a life and health reinsurance contract, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 525** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Ellinger	Pierson
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PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brattin	Brown 50	Day	Dieckhaus
Faith	Grisamore	Marshall	May	McGeoghegan
Pace	Pollock	Zimmerman	Mr Speaker	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 545, relating to tourism community enhancement, was taken up by Representative Schieber.

On motion of Representative Schieber, **HCS HB 545** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 001

Schad

PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Brown 50	Colona	Conway 14	Day
Dieckhaus	Faith	May	McGeoghegan	Pace
Talboy	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 548, relating to state employees, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 548** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 007

Asbury	Brown 116	Burlison	Hampton	Higdon
Houghton	Klippenstein			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Brown 50	Colona	Day	Dieckhaus
Faith	May	McGeoghegan	Pace	Talboy
Torpey	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 556, relating to disability history and awareness, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 556** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 010

Asbury	Bahr	Burlison	Dugger	Hampton
Hinson	Largent	Parkinson	Richardson	Still

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Colona	Cox	Day
Dieckhaus	Diehl	Faith	May	McGeoghegan
Pace	Talboy	Zimmerman	Mr Speaker	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 557, relating to a Mental Health Earnings Fund, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 557** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 50	Colona	Day	Dieckhaus
Diehl	Faith	May	McGeoghegan	Pace
Talboy	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

Representative Silvey assumed the Chair.

HB 560, relating to accessible parking signs, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HB 560** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Crawford
Cross	Davis	Denison	Dieckhaus	Dugger
Ellinger	Entlicher	Fallert	Fisher	Fitzwater
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Harris	Higdon	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 020

Asbury	Bahr	Burlison	Conway 14	Cookson
Cox	Curtman	Elmer	Fraker	Franklin
Franz	Guernsey	Hampton	Hinson	Hough
Keeney	Lasater	Marshall	Parkinson	Sater

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Day	Diehl	Faith	Flanigan
Jones 117	May	McGeoghegan	Pace	Talboy
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 561, relating to the MO HealthNet Oversight Committee, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HB 561** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Harris	Higdon
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 011

Bahr	Barnes	Burlison	Conway 14	Elmer
Hampton	Hinson	Hough	Hughes	Parkinson
Richardson				

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Denison	Faith	Guernsey
Haefner	May	McGeoghegan	Pace	Phillips
Smith 150	Talboy	Zimmerman	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 604, relating to termination of parental rights, was taken up by Representative Long.

On motion of Representative Long, **HCS HB 604** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Day	Diehl	Faith	Leara
May	McGeoghegan	Nasheed	Pace	Parkinson
Schad	Talboy	Taylor	Wright	Zimmerman
Mr Speaker				

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 630, relating to prematurity and infant mortality, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 630** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Hubbard	Hughes
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PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Diehl	Ellinger	Faith
May	McCann Beatty	McGeoghegan	Pace	Parkinson
Talboy	Taylor	Zimmerman	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 631, relating to the Developmental Disabilities Waiting List Equity Trust Fund, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 631** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Nolte
Oxford	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Faith	Funderburk	Leara
May	McCaherty	McGeoghegan	Neth	Pace
Parkinson	Schad	Spreng	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 648, relating to the developmentally disabled, was taken up by Representative Montecillo.

On motion of Representative Montecillo, **HB 648** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Ruzicka	Sater	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Carlson	Conway 27	Day	Dugger
Faith	Leara	May	McCaherty	McGeoghegan
McGhee	Nolte	Pace	Parkinson	Redmon
Rowland	Schad	Scharnhorst	Schneider	Sifton
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 667, relating to prostate cancer pilot programs, was taken up by Representative Carter.

On motion of Representative Carter, **HB 667** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCann Beatty	McDonald
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Peters-Baker	Pierson	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Brown 50	Conway 14	Day	Denison	Dugger
Faith	Lasater	Leara	May	McCaherty
McGeoghegan	McGhee	Nolte	Pace	Parkinson
Phillips	Pollock	Redmon	Schad	Scharnhorst
Schneider	Wells	Zimmerman		

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 673, relating to Missouri National Guard ribbons and awards, was taken up by Representative Largent.

On motion of Representative Largent, **HB 673** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Peters-Baker	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Conway 14	Day	Diehl	Dugger
Faith	Franklin	Jones 117	Lasater	Leara
May	McCaherty	McGeoghegan	Nolte	Pace
Parkinson	Phillips	Schad	Scharnhorst	Wells
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 675, relating to county coroner training, was taken up by Representative Largent.

On motion of Representative Largent, **HB 675** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Conway 14	Day	Faith	Franklin
Guernsey	Holsman	Leara	Loehner	May
McGeoghegan	Molendorp	Pace	Wells	Zimmerman

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 678, relating to excavation notification centers, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 678** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Schad

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Day	Faith	Guernsey	Holsman
Leara	Loehner	May	McGeoghegan	McNary
Molendorp	Nance	Pace	Pollock	Spreng
Swearingen	Zimmerman			

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 738, relating to student study plans, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 738** was read the third time and passed by the following vote:

AYES: 115

Allen	Atkins	Aull	Barnes	Bernskoetter
Black	Brandom	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Denison	Dieckhaus
Diehl	Ellinger	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Kelley 126	Kelly 24
Kirkton	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Taylor	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Asbury	Bahr	Berry	Brattin	Burlison
Conway 14	Crawford	Cross	Curtman	Davis
Dugger	Elmer	Entlicher	Franklin	Franz
Guernsey	Hinson	Hough	Jones 117	Keeney
Klippenstein	Koenig	Korman	Lair	Leach
Long	Marshall	McCaherty	Nichols	Richardson
Ruzicka	Sater	Schad	Schupp	Still
Torpey	White			

PRESENT: 001

Anders

ABSENT WITH LEAVE: 009

Brown 50	Day	Faith	May	McGeoghegan
Pace	Talboy	Thomson	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 746, relating to a Puppy Protection Trust Fund, was taken up by Representative Brown (85).

On motion of Representative Brown (85), **HB 746** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Ellinger
Fisher	Fitzwater	Flanigan	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 015

Asbury	Brown 116	Cookson	Dugger	Elmer
Entlicher	Fraker	Franklin	Franz	Guernsey
Hughes	Keeney	McGhee	Pollock	Wells

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Faith	Fallert	Lampe
May	McGeoghegan	Pace	Webber	Zimmerman

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 749, relating to child abuse prevention, was taken up by Representative Lasater.

On motion of Representative Lasater, **HB 749** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Day	Faith	Fuhr	Holsman
Jones 117	Largent	May	McGeoghegan	Nasheed
Pace	Sater	Still	Webb	Webber
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 795, relating to the Missouri School Read-In Day, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 795** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Faith	Fuhr	Jones 63
Jones 117	Kelly 24	May	McGeoghegan	Nasheed
Pace	Schad	Webber	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 798, relating to a memorial bridge, was taken up by Representative Brown (85).

On motion of Representative Brown (85), **HB 798** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Brown 85	Cookson	Day	Faith
Hughes	Hummel	Jones 89	May	McGeoghegan
McGhee	Pace	Schad	Swinger	Zimmerman

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 812, relating to a special license plate, was taken up by Representative Brattin.

On motion of Representative Brattin, **HB 812** was read the third time and passed by the following vote:

AYES: 146

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 005

Anders	McDonald	Quinn	Schad	Shively
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PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Day	Faith	Hughes	Lant
May	McGeoghegan	Pace	Scharnhorst	Schneider
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

HB 813, relating to a memorial bridge, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 813** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 003

Hughes	McNeil	Still
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PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Faith	May	McGeoghegan
Pace	Zimmerman			

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 825, relating to motor vehicle registration, was taken up by Representative Fallert.

On motion of Representative Fallert, **HCS HB 825** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brown 50	Day	Faith	Franz
Funderburk	Lauer	Leara	May	McGeoghegan
Nichols	Pace	Zimmerman		

VACANCIES: 001

Representative Silvey declared the bill passed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 19, relating to an Article V Convention, was taken up by Representative Gatschenberger.

HCR 19 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 8, relating to the Missouri Jobs and Prosperity Act, was taken up by Representative Koenig.

Representative Koenig offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 8, Section 4(d), Page 2, Line 32, by inserting after the words, “**investment purpose.**” the following words, “**Payments made by insurance companies to any business through the claims settlement process shall not be considered a business to business purchase.**”; and

Further amend said bill, section, page, Lines 35-36, by deleting all of said lines and inserting in lieu thereof the following:

“**b. Premiums or fees paid on valid insurance policies; or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 1** was adopted.

Representative Koenig offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Joint Resolution No. 8, Section B, Page 5, Lines 5-10, by deleting all of said lines and inserting in lieu thereof the following:

“A ‘yes’ vote will amend Missouri’s Constitution to phase-out the individual and corporate income tax; enact a single, revenue-neutral sales and use tax on new purchases and services capped at seven percent; and provide each resident with a sales tax rebate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HJR 8, as amended, with House Amendment No. 2, pending, was laid over.

PERFECTION OF HOUSE BILL

HCS HB 468, relating to economic incentives for jobs, was taken up by Representative Diehl.

Speaker Tilley resumed the Chair.

Representative Leara offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 468, Section 67.2050, Page 3, Line 69, by inserting after all of said line the following:

“9. The provisions of this section shall not be construed to allow municipalities to provide services provided by wired telecommunication carriers as defined by NAICS code 517110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1** was adopted.

Representative Silvey resumed the Chair.

On motion of Representative Diehl, **HCS HB 468, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 468, as amended**, was ordered perfected and printed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle

Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 006

Bahr	Dugger	Koenig	Marshall	Pollock
Wells				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Bernskoetter	Brown 50	Day	Faith	Loehner
McGeoghegan	Nasheed	Pace	Peters-Baker	Redmon
Schad	Zimmerman			

VACANCIES: 001

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 3 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 28 - Fiscal Review (Fiscal Note)

HCS HB 192 - Fiscal Review (Fiscal Note)

HCS HBs 411 & 421 - Fiscal Review (Fiscal Note)

HB 901 - International Trade and Job Creation

HB 979 - Ways and Means

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SS SCS SBs 113 & 95**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 523**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 773**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SB 55**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 6, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Presentation of Capital Improvements, Maintenance & Repair and
Reappropriations to the House Budget Committee.

BUDGET

Thursday, April 7, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of Capital Improvements, Maintenance & Repair, and
Reappropriations Presentations.

CORRECTIONS

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 803
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 781, HB 635, SB 250
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 7, 2011, 9:00 AM House Hearing Room 4.
Executive session will be held: HB 44, HJR 11, HJR 12, HB 437, HB 493
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 679, HB 476, HB 764
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2011, 8:00 AM South Gallery.
Public hearing will be held: HB 588
Executive session may be held on any matter referred to the committee.
AMENDED

FINANCIAL INSTITUTIONS

Wednesday, April 6, 2011, 5:00 PM House Hearing Room 6.
Public hearing will be held: SB 71, SB 83, SCS SB 219, HB 811
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, April 6, 2011, South Gallery upon morning recess.
Public hearing will be held: SCS SB 19, HCS HB 192, HCS HJR 3
Executive session will be held: SCS SB 19, HCS HB 192, HCS HJR 3
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.
AMENDED

HEALTH CARE POLICY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: SCS SB 17, SB 38, SB 284, SS#2 SCS SB 62
Executive session will be held: HB 851, HB 838
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH CARE POLICY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: SCS SB 17, SB 38, SB 284, HB 821
Executive session will be held: HB 851, HB 838
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 6, 2011, 12:00 PM, Room 315.
Lunch

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 6, 2011, 5:00 PM House Hearing Room 7.
Public hearing will be held: HCR 46, HB 707, HB 908
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting. Oversight reports.
Some portions may be closed pursuant to Section 610.021.

JUDICIARY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 1.
Public hearing will be held: SB 33, SB 220, HB 718, HB 585, HB 967, HB 874
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 940, HB 926, HB 918, HB 645, SB 145, HB 889
Executive session may be held on any matter referred to the committee.
Amended Number 2.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 6, 2011, House Hearing Room 5,
12:00 PM or upon morning adjournment if after 12:00 PM.
Public hearing will be held: HB 832
Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 6, 2011, House Hearing Room 1 upon afternoon adjournment.
Executive session will be held: HR 900
Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 6, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.
Rules Committee dinner.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, April 6, 2011, House Hearing Room 1 upon afternoon adjournment.
Executive session will be held: HCS HCR 23, HCS HB 121, HB 138, HCS HB 161, HB 211,
HCS HBs 300, 334 & 387, HCS HBs 303 & 239, HB 305, HB 357, HCS HB 366, HB 491,
HCS HB 562, HCS HB 579, HB 656, HB 661, HCS HB 664, HCS HB 711, HCS HB 828
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 741
Executive session will be held: HB 322, HB 403, HB 644
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, April 6, 2011, 8:30 AM House Hearing Room 4.
Executive session will be held: HB 613
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, April 6, 2011, 9:15 AM House Hearing Room 4.
Public hearing will be held: HB 716, HB 839
Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, April 6, 2011, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 736, HB 520

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 7, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 135, SB 180, HB 103, HB 597

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCR 7, SB 173

Executive session will be held: HB 659, HB 786

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 298, HB 824, HB 979

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 11, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 8

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTIETH DAY, WEDNESDAY, APRIL 6, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473 - Jones (63)
- 6 HCS HB 111 - Cox
- 7 HCS HBs 223 & 231 - Wallingford
- 8 HB 291 - Denison
- 9 HCS HB 401 - Diehl
- 10 HCS HB 407 - Wieland

- 11 HCS HB 430 - Burlison
- 12 HCS HB 464 - McNary
- 13 HCS HB 555 - Grisamore
- 14 HB 591 - Lichtenegger
- 15 HB 655 - Lampe
- 16 HCS HB 657 - Allen
- 17 HB 677 - Wells
- 18 HCS HB 697 - Smith (150)
- 19 HB 737 - Redmon
- 20 HCS HB 840 - Jones (117)
- 21 HCS HB 193 - Diehl

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 3, (Fiscal Review 4-5-11) - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 458 - Loehner
- 2 HCS HB 641 - Franz
- 3 HCS HB 192, (Fiscal Review 4-5-11), E.C. - Jones (89)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 354 - Faith
- 2 HB 484 - Faith

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 30, (3-31-11, Page 812) - Frederick
- 2 HCR 31, (3-17-11, Pages 694-695) - Cookson
- 3 HCS HCR 39, (3-17-11, Pages 696-697) - Leara

SENATE BILLS FOR THIRD READING

- 1 SCS SB 19, (Fiscal Review 4-4-11) - Nolte
- 2 SCS SB 108 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTIETH DAY, WEDNESDAY, APRIL 6, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

“The Lord’s Prayer” was sung by Darrius Roberts of Normandy, Missouri.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-ninth day was approved as printed.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Meredith Ann Cole.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1706 through House Resolution No. 1806

HOUSE CONCURRENT RESOLUTIONS

HCR 30, relating to the Federal Health Care Reform Act, was taken up by Representative Frederick.

Representative Parkinson assumed the Chair.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Frederick, **HCR 30** was adopted.

HCR 31, relating to land and water conservation, was taken up by Representative Cookson.

On motion of Representative Cookson, **HCR 31** was adopted.

HCS HCR 39, relating to Grant’s Farm, was taken up by Representative Leara.

Speaker Tilley resumed the Chair.

On motion of Representative Leara, **HCS HCR 39** was adopted.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 354, relating to electrical vehicle emissions inspections, was taken up by Representative Faith.

On motion of Representative Faith, **HCS HB 354** was read the third time and passed by the following vote:

AYES: 160

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Lasater Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

HB 484, relating to the Missouri State Transit Assistance Program, was taken up by Representative Faith.

On motion of Representative Faith, **HB 484** was read the third time and passed by the following vote:

AYES: 134

Anders	Atkins	Aull	Bernskoetter	Black
Brandom	Brown 50	Brown 85	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 022

Asbury	Bahr	Berry	Brattin	Brown 116
Burlison	Curtman	Dugger	Entlicher	Franklin
Fuhr	Guernsey	Hampton	Houghton	Koenig
Marshall	Pollock	Richardson	Schad	Schieber
Wells	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Barnes	Kander	Lasater	May
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

Representative Smith (150) assumed the Chair.

PERFECTION OF HOUSE BILL

HB 291, relating to motor vehicle windshield stickers, was taken up by Representative Denison.

On motion of Representative Denison, **HB 291** was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 3** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 28** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 192** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 411 & 421** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 19** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

SCS SB 108, relating to installation of fire sprinklers, was taken up by Representative Scharnhorst.

Representative Silvey assumed the Chair.

On motion of Representative Scharnhorst, **SCS SB 108** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Neth	Nichols
Nolte	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Stream
Swearingen	Swinger	Taylor	Thomson	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 012

Atkins	Carlson	Jones 63	Kelly 24	Kirkton
McGeoghegan	McNeil	Newman	Oxford	Schupp
Still	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 011

Funderburk	Hinson	Jones 117	Long	Nasheed
Parkinson	Redmon	Talboy	Torpey	Webber
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

Speaker Tilley resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 193, relating to congressional districts, was taken up by Representative Diehl.

Representative Aull offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 193, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following:

"Clay MO County (parts)

VTD: Gal 1

VTD: Gal 10

VTD: Gal 11

VTD: Gal 12

VTD: Gal 13

VTD: Gal 14

VTD: Gal 15

VTD: Gal 16

VTD: Gal 17

VTD: Gal 18

VTD: Gal 2

VTD: Gal 3

VTD: Gal 4

VTD: Gal 5

VTD: Gal 6

VTD: Gal 7

VTD: Gal 9

VTD: KC 21-10

VTD: KC 21-11

VTD: KC 21-14

VTD: KC 21-18 (parts)

Block: 290470206024002

Block: 290470206024015

Block: 290470206024016

Block: 290470206024018

Block: 290470206024022

Block: 290470206024024

Block: 290470206024029

Block: 290470206031000

Block: 290470206031001

Block: 290470206031002

Block: 290470206031003

Block: 290470206031004

Block: 290470206031005

Block: 290470206031006

Block: 290470206031007

Block: 290470206031008

Block: 290470206031009

Block: 290470206031010

Block: 290470206031011

Block: 290470206031012

Block: 290470206031013

Block: 290470206031014

Block: 290470206031015
Block: 290470206031016
Block: 290470206031017
Block: 290470206031018
Block: 290470206031019
Block: 290470206031020
Block: 290470206031021
Block: 290470206031022
Block: 290470206031023
Block: 290470206031024
Block: 290470206031025
Block: 290470206032000
Block: 290470206032001
Block: 290470206032002
Block: 290470206032003
Block: 290470206032004
Block: 290470206032005
Block: 290470206032006
Block: 290470206032007
Block: 290470206032008
Block: 290470206032012
Block: 290470206032013
Block: 290470206032014
Block: 290470206032015
Block: 290470206032016
Block: 290470206032017
Block: 290470206032018
Block: 290470206033002
Block: 290470206033003
Block: 290470206033004
Block: 290470206033005
Block: 290470206033006
Block: 290470206033007
Block: 290470206033008
Block: 290470206033009
Block: 290470206033010
Block: 290470206033011
Block: 290470206033012
Block: 290470206033013
Block: 290470206033014
Block: 290470206033015
Block: 290470206033016
Block: 290470206033017
Block: 290470206033018
Block: 290470206033021
Block: 290470206033023
Block: 290470206033024
Block: 290470206033025
Block: 290470206033026
Block: 290470206033027
Block: 290470206033028
Block: 290470206033029
Block: 290470206041001
Block: 290470206041002
Block: 290470206041003
Block: 290470206041004

Block: 290470209021023
Block: 290470209021024
Block: 290470209021025
Block: 290470209021027
Block: 290470209021028
Block: 290470209021031
Block: 290470209021032
Block: 290470209021033
Block: 290470209021034
Block: 290470209021035
Block: 290470209021036
Block: 290470222002045
Block: 290470222002046
Block: 290470222002047
Block: 290470222002048
Block: 290470222002049
Block: 290470222002050
Block: 290470222002051
Block: 290470222002092
Block: 290470222002093
Block: 290470222002094
Block: 290470222002095
Block: 290470222002096
Block: 290470222002097
Block: 290470222002098
Block: 290470222002099
Block: 290470222002100
Block: 290470222002101
Block: 290470222002102
Block: 290470222002103
Block: 290470222002104
Block: 290470222002105
Block: 290470222002108
Block: 290470222002109
Block: 290470222002116
Block: 290470222002117
Block: 290470222002118
Block: 290470222002119
Block: 290470222002120
Block: 290470222002121
Block: 290470222002122
Block: 290470222002123
Block: 290470222002124
Block: 290470222002125
Block: 290470222002126
Block: 290470222002129
Block: 290470222002130
Block: 290470222002131
Block: 290470222002132
Block: 290470222002133
Block: 290470222002134
Block: 290470222002135
Block: 290470222002136
Block: 290470222002137
Block: 290470222002138
Block: 290470222002156

VTD: KC 21-2
VTD: KC 21-20
VTD: KC 21-22
VTD: KC 21-23
VTD: KC 21-24
VTD: KC 21-25 (parts)
Block: 290470211011003
Block: 290470211011007
Block: 290470212061002
Block: 290470212061004
Block: 290470212061007
Block: 290470212061009
Block: 290470212061010
Block: 290470212061011
Block: 290470212083013
Block: 290470212083014
Block: 290470212083015
Block: 290470212083018
Block: 290470212083019
Block: 290470212083020
Block: 290470212083027
VTD: KC 21-3
VTD: KC 21-4
VTD: KC 21-5 (parts)
Block: 290470206044005
Block: 290470209011001
Block: 290470209011002
Block: 290470209011004
Block: 290470209011005
Block: 290470209011006
Block: 290470209011007
Block: 290470209011008
Block: 290470209011009
Block: 290470209011010
Block: 290470209011011
Block: 290470209011012
Block: 290470209011013
Block: 290470209011014
Block: 290470209011015
Block: 290470209011016
Block: 290470209011017
Block: 290470209011018
Block: 290470209011019
Block: 290470209011020
Block: 290470209011021
Block: 290470209012000
Block: 290470209012001
Block: 290470209012002
Block: 290470209012003
Block: 290470209012004
Block: 290470209012005
Block: 290470209012006
Block: 290470209012007
Block: 290470209012010
Block: 290470209012018
Block: 290470209014000

Block: 290470209014007
Block: 290470209014008
Block: 290470209014009
Block: 290470209014013
Block: 290470209015000
Block: 290470209015001
Block: 290470209015002
Block: 290470209015003
Block: 290470209015004
Block: 290470209015005
Block: 290470209015006
Block: 290470209015007
Block: 290470209015008
Block: 290470209015009
Block: 290470209015010
Block: 290470209015011
Block: 290470209015012
Block: 290470209015013
Block: 290470209015014
Block: 290470209015015
VTD: KC 21-6
VTD: KC 21-7
VTD: KC 21-8
VTD: KC 21-9
VTD: Lib 13 (parts)
Block: 290470222002030
Jackson MO County"; and

Further amend said bill, Pages 127 to 158, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following:

"Adair MO County
Andrew MO County
Atchison MO County
Buchanan MO County
Caldwell MO County
Carroll MO County
Chariton MO County
Clark MO County
Clay MO County (parts)
VTD: Chou 8
VTD: FR 1
VTD: FR 2
VTD: FR 3
VTD: FR 4
VTD: FR 5
VTD: KC 21 Lib 1
VTD: KC 21 Lib 2
VTD: KC 21 Lib 3
VTD: KC 21 Pl 1
VTD: KC 21-1
VTD: KC 21-12
VTD: KC 21-13
VTD: KC 21-15
VTD: KC 21-16
VTD: KC 21-17

VTD: KC 21-18 (parts)
Block: 290470206033001
Block: 290470206033019
Block: 290470206033020
Block: 290470206033022
Block: 290470206041000
Block: 290470206041005
Block: 290470206041012
Block: 290470209021017
Block: 290470222002044
Block: 290470222002106
Block: 290470222002107
VTD: KC 21-19
VTD: KC 21-21
VTD: KC 21-25 (parts)
Block: 290470212051031
Block: 290470212061000
Block: 290470212061001
Block: 290470212061003
Block: 290470212061005
Block: 290470212061006
Block: 290470212061008
Block: 290470212071052
Block: 290470212071056
Block: 290470212081000
Block: 290470212081001
Block: 290470212082000
Block: 290470212083000
Block: 290470212083001
Block: 290470212083002
Block: 290470212083003
Block: 290470212083004
Block: 290470212083005
Block: 290470212083006
Block: 290470212083007
Block: 290470212083008
Block: 290470212083009
Block: 290470212083010
Block: 290470212083011
Block: 290470212083012
Block: 290470212083016
Block: 290470212083017
Block: 290470212083021
Block: 290470212083022
Block: 290470212083023
Block: 290470212083024
Block: 290470212083025
Block: 290470212083026
VTD: KC 21-26
VTD: KC 21-5 (parts)
Block: 290470209011000
Block: 290470209011003
VTD: Kry 1
VTD: Kry 2
VTD: Kry 3
VTD: Kry 4

VTD: Lib 1
VTD: Lib 10
VTD: Lib 11
VTD: Lib 12
VTD: Lib 13 (parts)
Block: 290470222002035
Block: 290470222002036
Block: 290470222002147
Block: 290470223012024
Block: 290470223012025
Block: 290470223012026
Block: 290470223021006
Block: 290470223021016
Block: 290470223021017
Block: 290470223021018
Block: 290470223021019
Block: 290470223021020
Block: 290470223021024
Block: 290470223021025
Block: 290470223021048
Block: 290470223021050
Block: 290470223021057
Block: 290470223021058
Block: 290470223021059
Block: 290470223021060
Block: 290470223023050
Block: 290470223023052
Block: 290470223023058
Block: 290470223023059
VTD: Lib 14
VTD: Lib 2
VTD: Lib 3
VTD: Lib 4
VTD: Lib 5
VTD: Lib 6
VTD: Lib 7
VTD: Lib 8
VTD: Lib 9
VTD: Pl 1
VTD: Pl 2
VTD: Pl 3
VTD: Wash 1
VTD: Wash 2
VTD: Wash 3
Clinton MO County
Daviess MO County
DeKalb MO County
Gentry MO County
Grundy MO County
Harrison MO County
Holt MO County
Knox MO County
Lafayette MO County
Lewis MO County
Linn MO County
Livingston MO County

Macon MO County
Marion MO County
Mercer MO County
Monroe MO County
Nodaway MO County
Pike MO County
Platte MO County
Putnam MO County
Ralls MO County
Randolph MO County (parts)
VTD: Cairo
VTD: Clifton Hill
VTD: Darksville
VTD: Huntsville
VTD: Jacksonville
VTD: Levicks Mill
VTD: Mt. Airy (parts)
Block: 291754902001169
Block: 291754902001170
Block: 291754902001172
Block: 291754902001173
Block: 291754902002079
Block: 291754902002080
Block: 291754906002048
Block: 291754906002049
Block: 291754906002053
Block: 291754906002058
Block: 291754906002059
Block: 291754906002060
Block: 291754906002062
Block: 291754906002194
VTD: Salt Springs (parts)
Block: 291754902001115
Block: 291754902001116
Block: 291754902001123
Block: 291754902001124
Block: 291754902001125
Block: 291754902001130
Block: 291754902001131
Block: 291754902001155
Block: 291754902001156
Block: 291754902001157
Block: 291754902001158
Block: 291754902001159
Block: 291754902001160
Block: 291754902001161
Block: 291754902001162
Block: 291754902001163
Block: 291754902001164
Block: 291754902001165
Block: 291754902001168
Block: 291754902001171
Block: 291754902001174
Block: 291754902002056
Block: 291754902002057
Block: 291754902002058

Block: 291754902002062
 Block: 291754902002064
 Block: 291754902002065
 Block: 291754902002066
 Block: 291754902002067
 Block: 291754902002068
 Block: 291754902002069
 Block: 291754902002070
 Block: 291754902002071
 Block: 291754902002073
 Block: 291754902002074
 Block: 291754902002075
 Block: 291754902002076
 Block: 291754902002077
 Block: 291754902002078
 Block: 291754902002081
 Block: 291754902002082
 Block: 291754902002083
 Block: 291754902002084
 Block: 291754902002085
 Block: 291754902002087
 Block: 291754902002088
 Block: 291754902002089
 Block: 291754902004062
 Block: 291754902004063
 Block: 291754902004064
 Block: 291754902004065
 Block: 291754902004066
 Block: 291754906002000
 Block: 291754906002001
 Block: 291754906002002
 Block: 291754906002003
 Block: 291754906002004
 Block: 291754906002005
 Block: 291754906002006
 Block: 291754906002007
 Block: 291754906002012
 Block: 291754906002025
 Block: 291754906002050
 Block: 291754906002051
 Block: 291754906002052
 Block: 291754906002204
 Block: 291754906002205
 Block: 291754906002218
 Block: 291754906002219
 VTD: South Sugar Creek (parts)
 Block: 291754901002104
 VTD: Thomas Hill
 VTD: Union
 Ray MO County
 Saline MO County
 Schuyler MO County
 Scotland MO County
 Shelby MO County
 Sullivan MO County
 Worth MO County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Cox	Ellinger	Fallert	Harris	Hodges
Hughes	Hummel	Jones 63	Kirkton	Kratky
Lampe	Lasater	McDonald	McGhee	McManus
McNeil	Meadows	Montecillo	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Schieber	Schupp	Smith 71	Spreng
Still	Swinger	Taylor	Webb	

NOES: 110

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Higdon	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McNary	Molendorp	Neth	Peters-Baker	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Haefner	Hinson	Kelly 24	Nolte	Parkinson
Shively	Webber	Zimmerman		

VACANCIES: 001

Representative Casey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 193, Pages 1 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

**"St. Louis City MO County
St. Louis MO County (part)**

VTD: AP001

VTD: AP002

VTD: AP003

VTD: AP004

VTD: AP005

VTD: AP006

VTD: AP007

VTD: AP008

VTD: AP009

VTD: AP010

VTD: AP011

VTD: AP012

VTD: AP013

VTD: AP014

VTD: AP015

VTD: AP016

VTD: AP017

VTD: AP018

VTD: AP019

VTD: AP020

VTD: AP021

VTD: AP022

VTD: AP023

VTD: AP024

VTD: AP025

VTD: AP026

VTD: AP027

VTD: AP028

VTD: AP029

VTD: AP030

VTD: AP031

VTD: AP032

VTD: AP033

VTD: AP034

VTD: AP035

VTD: AP036

VTD: AP037

VTD: AP038

VTD: AP039

VTD: AP040

VTD: AP041

VTD: AP042

VTD: AP043

VTD: AP044

VTD: AP045

VTD: AP046

VTD: AP047

VTD: AP048

VTD: AP049

VTD: AP050
VTD: AP051
VTD: AP052
VTD: AP053
VTD: AP054
VTD: AP055
VTD: AP056
VTD: AP200
VTD: AP203
VTD: AP206
VTD: AP207
VTD: AP208
VTD: AP210
VTD: AP211
VTD: AP213
VTD: AP214
VTD: AP215
VTD: AP216
VTD: AP217
VTD: AP218
VTD: AP221
VTD: AP225
VTD: AP227
VTD: AP228
VTD: AP230
VTD: AP232
VTD: AP233
VTD: AP237
VTD: CC012 (part)
Block: 291892155001004
Block: 291892155001011
Block: 291892155001012
Block: 291892155001036
Block: 291892155004008
Block: 291892155004011
Block: 291892155004014
Block: 291892155004015
VTD: CC013
VTD: CC015
VTD: CC018 (part)
Block: 291892150041013
Block: 291892150042002
Block: 291892150042003
Block: 291892150042006
Block: 291892150042007
Block: 291892150042025
VTD: CC019
VTD: CC020
VTD: CC021
VTD: CC022
VTD: CC025
VTD: CC026
VTD: CC027
VTD: CC028
VTD: CC029
VTD: CC034

VTD: CC038
 VTD: CC039
 VTD: CC040
 VTD: CC042
 VTD: CC043
 VTD: CC046
 VTD: CC048
 VTD: CC053 (part)
 Block: 291892150041000
 Block: 291892150041001
 Block: 291892150041002
 Block: 291892150041003
 Block: 291892150041004
 Block: 291892150041005
 Block: 291892150041006
 Block: 291892150041007
 Block: 291892150041008
 Block: 291892150041009
 Block: 291892150041010
 Block: 291892150041011
 Block: 291892150041012
 Block: 291892150042005
 VTD: CC054
 VTD: CC057
 VTD: CC058 (part)
 Block: 291892156001056
 VTD: CC060
 VTD: CC061 (part)
 Block: 291892155004010
 VTD: CC062 (part)
 Block: 291892155001013
 Block: 291892155004009
 VTD: CC063
 VTD: CC064
 VTD: CC065
 VTD: CC066
 VTD: CC067
 VTD: CC068
 VTD: CC069
 VTD: CC201
 VTD: CC202
 VTD: CC203 (part)
 Block: 291892156001019
 Block: 291892156001020
 VTD: CC205
 VTD: CC207
 VTD: CC221
 VTD: CC224
 VTD: CC225
 VTD: CC227
 VTD: CLA001
 VTD: CLA003 (part)
 Block: 291892164001005
 Block: 291892164001006
 VTD: CLA005
 VTD: CLA011 (part)

Block: 291892158002018
Block: 291892158006012
Block: 291892158006015
Block: 291892158006016
Block: 291892165001005
VTD: CLA015 (part)
Block: 291892155004026
VTD: CLA021
VTD: CLA022
VTD: CLA050 (part)
Block: 291892189004019
Block: 291892189004023
VTD: CLA051
VTD: CLA052
VTD: CLA054
VTD: CLA056
VTD: FER001
VTD: FER002
VTD: FER003
VTD: FER004
VTD: FER005
VTD: FER006
VTD: FER007
VTD: FER008
VTD: FER009
VTD: FER010
VTD: FER011
VTD: FER012
VTD: FER013
VTD: FER014
VTD: FER015
VTD: FER016
VTD: FER017
VTD: FER018
VTD: FER019
VTD: FER020
VTD: FER021
VTD: FER022
VTD: FER023
VTD: FER024
VTD: FER025
VTD: FER026
VTD: FER027
VTD: FER028
VTD: FER029
VTD: FER030
VTD: FER031
VTD: FER032
VTD: FER033
VTD: FER034
VTD: FER035
VTD: FER036
VTD: FER037
VTD: FER038
VTD: FER039
VTD: FER040

VTD: FER041
VTD: FER042
VTD: FER043
VTD: FER044
VTD: FER045
VTD: FER046
VTD: FER047
VTD: FER048
VTD: FER049
VTD: FER050
VTD: FER051
VTD: FER201
VTD: FER208
VTD: FLO001
VTD: FLO002
VTD: FLO003
VTD: FLO004
VTD: FLO005
VTD: FLO006
VTD: FLO007
VTD: FLO008
VTD: FLO009
VTD: FLO010
VTD: FLO011
VTD: FLO012
VTD: FLO013
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VTD: HAD001
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VTD: JEF013
VTD: JEF014
VTD: JEF017 (part)
Block: 291892196001006
Block: 291892196001008
Block: 291892196001009
Block: 291892196001010
Block: 291892196001011
Block: 291892196001012
Block: 291892196001013
VTD: JEF018 (part)
Block: 291892191003014
Block: 291892191003015

Block: 291892191003016
 Block: 291892191004010
 Block: 291892191004011
 Block: 291892191004012
 Block: 291892191004013
 Block: 291892192002007
 Block: 291892192002008
 Block: 291892192002009
 Block: 291892192002011
 Block: 291892192002012
 Block: 291892192002015
 Block: 291892192002016
 Block: 291892192002017
 Block: 291892192002018
 Block: 291892192002019
 Block: 291892192002020
 Block: 291892192002023
 VTD: JEF019
 VTD: JEF020
 VTD: JEF023 (part)
 Block: 291892193003008
 VTD: JEF024
 VTD: JEF028
 VTD: JEF030 (part)
 Block: 291892195001000
 Block: 291892195001002
 Block: 291892195001010
 VTD: JEF047
 VTD: JEF048 (part)
 Block: 291892193003000
 Block: 291892193003001
 Block: 291892193003002
 Block: 291892193003003
 Block: 291892193003004
 Block: 291892193003005
 Block: 291892193003006
 Block: 291892193003007
 Block: 291892193003009
 Block: 291892193003010
 VTD: JEF200 (part)
 Block: 291892196001000
 VTD: LC001
 VTD: LC002
 VTD: LC003
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VTD: LC039
VTD: LC040
VTD: LC200
VTD: LC202
VTD: LC203
VTD: MHT016
VTD: MHT018 (part)
Block: 291892132022000
Block: 291892132022001
Block: 291892132022005
VTD: MID001 (part)
Block: 291892150011000
Block: 291892150011001
Block: 291892150011002
Block: 291892150011058
Block: 291892150011059
Block: 291892150011060
Block: 291892150011061
Block: 291892150011062
Block: 291892150011083
Block: 291892150011084
Block: 291892150011086
VTD: MID002
VTD: MID003
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VTD: MID056
VTD: MID058
VTD: MID059
VTD: MID060
VTD: MID061
VTD: MID202
VTD: MID207 (part)
Block: 291892150011053
Block: 291892150011057
Block: 291892150011063
Block: 291892150011064
Block: 291892150011065
Block: 291892150011066

Block: 291892150011071

Block: 291892150042008

VTD: MID208

VTD: MID209

VTD: MID213

VTD: MID215

VTD: NOR001

VTD: NOR002

VTD: NOR003

VTD: NOR004

VTD: NOR005

VTD: NOR006

VTD: NOR007

VTD: NOR008

VTD: NOR009

VTD: NOR010

VTD: NOR011

VTD: NOR012

VTD: NOR013

VTD: NOR014

VTD: NOR015

VTD: NOR016

VTD: NOR017

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VTD: NOR022

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VTD: NOR219
VTD: NOR220
VTD: NOR222
VTD: NRW001
VTD: NRW002
VTD: NRW003
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VTD: NRW008
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VTD: NRW044
VTD: NRW045
VTD: NRW046
VTD: NRW047
VTD: NRW048
VTD: NRW200
VTD: NRW201
VTD: NW001
VTD: NW002
VTD: NW003
VTD: NW004
VTD: NW005
VTD: NW008 (part)
Block: 291892113013005
Block: 291892113013006
Block: 291892113341024
Block: 291892113341025
Block: 291892113341026
Block: 291892113341027
Block: 291892113341030
Block: 291892113341031
Block: 291892113343009
Block: 291892113343011
Block: 291892113343012
Block: 291892113343013
Block: 291892113343014
Block: 291892113343015
Block: 291892113343016
Block: 291892113343017
VTD: NW010
VTD: NW011
VTD: NW012
VTD: NW013 (part)
Block: 291892151431053
VTD: NW014
VTD: NW016
VTD: NW017
VTD: NW019 (part)
Block: 291892132023006
VTD: NW020
VTD: NW025 (part)
Block: 291892113321023
Block: 291892113321024
Block: 291892114013000
Block: 291892114013001
Block: 291892114013007
Block: 291892114013008
VTD: NW026
VTD: NW028
VTD: NW030 (part)
Block: 291892114013011

VTD: NW031

VTD: NW032 (part)

Block: 291892131014025

Block: 291892131014026

Block: 291892131014027

Block: 291892131014028

Block: 291892131014029

Block: 291892131014030

Block: 291892131014031

Block: 291892131014032

Block: 291892131014033

Block: 291892131014034

Block: 291892131014035

Block: 291892131014036

Block: 291892131021104

Block: 291892131021105

Block: 291892131021109

Block: 291892131021114

Block: 291892132031005

Block: 291892151431000

VTD: NW034

VTD: NW037

VTD: NW042 (part)

Block: 291892131014014

Block: 291892131014015

Block: 291892131014016

Block: 291892131014017

Block: 291892131014018

Block: 291892131014019

Block: 291892131014020

Block: 291892131014023

Block: 291892131014024

Block: 291892131021106

Block: 291892131021107

Block: 291892131021108

VTD: NW043

VTD: NW045

VTD: NW047

VTD: NW048 (part)

Block: 291892114013010

VTD: NW049

VTD: NW050

VTD: NW051

VTD: NW200

VTD: NW202

VTD: NW203

VTD: NW204

VTD: NW205

VTD: NW206 (part)

Block: 291892132031019

VTD: NW207

VTD: NW219

VTD: NW220

VTD: NW222

VTD: NW223

VTD: NW224

VTD: NW225
VTD: NW226
VTD: NW227
VTD: NW229
VTD: SF001
VTD: SF002
VTD: SF003
VTD: SF004
VTD: SF005
VTD: SF006
VTD: SF007
VTD: SF008
VTD: SF009
VTD: SF010
VTD: SF011
VTD: SF012
VTD: SF013
VTD: SF014
VTD: SF015
VTD: SF016
VTD: SF017
VTD: SF018
VTD: SF019
VTD: SF020
VTD: SF021
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VTD: SF025
VTD: SF026
VTD: SF027
VTD: SF028
VTD: SF029
VTD: SF030
VTD: SF031
VTD: SF032
VTD: SF033
VTD: SF034
VTD: SF035
VTD: SF036
VTD: SF037
VTD: SF038
VTD: SF039
VTD: SF040
VTD: SF200
VTD: SF204
VTD: SF206
VTD: SPL001
VTD: SPL002
VTD: SPL003
VTD: SPL004
VTD: SPL005
VTD: SPL006
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VTD: SPL028
VTD: SPL029
VTD: SPL030
VTD: SPL201
VTD: SPL202
VTD: SPL207
VTD: SPL208
VTD: UNV001
VTD: UNV002
VTD: UNV003
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VTD: UNV005
VTD: UNV006
VTD: UNV007
VTD: UNV008
VTD: UNV009
VTD: UNV010
VTD: UNV011
VTD: UNV012
VTD: UNV013
VTD: UNV014
VTD: UNV015
VTD: UNV016
VTD: UNV017
VTD: UNV018
VTD: UNV019
VTD: UNV020
VTD: UNV021
VTD: UNV022
VTD: UNV023
VTD: UNV024
VTD: UNV025
VTD: UNV026
VTD: UNV027
VTD: UNV028
VTD: UNV029
VTD: UNV030
VTD: UNV031 (part)

Block: 291892158002000
Block: 291892158002009
Block: 291892158002017
Block: 291892158005031
Block: 291892158005032
Block: 291892158005033
Block: 291892158005034
Block: 291892158005035
Block: 291892158005037
Block: 291892158005038
Block: 291892158005039
Block: 291892158005040
Block: 291892158006008
Block: 291892158006009
Block: 291892158006010
Block: 291892158006011
Block: 291892158006013
Block: 291892158006014
Block: 291892158006017
VTD: UNV032
VTD: UNV033
VTD: UNV034
VTD: UNV035
VTD: UNV036
VTD: UNV037
VTD: UNV038
VTD: UNV039
VTD: UNV040
VTD: UNV041
VTD: UNV042
VTD: UNV043
VTD: UNV044
VTD: UNV045
VTD: UNV046
VTD: UNV047
VTD: UNV048
VTD: UNV049
VTD: UNV200
VTD: UNV201
VTD: UNV205
VTD: UNV206
VTD: UNV208"; and

Further amend said bill, Pages 22 to 64, Section 128.452, Lines 2 to 1841, by deleting all of said lines and inserting in lieu thereof the following;

"Jefferson MO County
St. Louis MO County (part)
VTD: BON001
VTD: BON002
VTD: BON003
VTD: BON004
VTD: BON005
VTD: BON006
VTD: BON007
VTD: BON008

VTD: BON009
VTD: BON010
VTD: BON011
VTD: BON012
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VTD: BON046
VTD: BON047
VTD: BON048
VTD: BON202
VTD: BON203
VTD: BON206
VTD: BON207
VTD: BON210
VTD: BON211
VTD: CC001
VTD: CC002
VTD: CC003
VTD: CC004
VTD: CC005
VTD: CC006
VTD: CC007
VTD: CC008
VTD: CC009
VTD: CC010

VTD: CC011
VTD: CC012 (part)
Block: 291892155004012
Block: 291892155004016
Block: 291892155004017
Block: 291892155004021
Block: 291892155004023
VTD: CC014
VTD: CC016
VTD: CC017
VTD: CC018 (part)
Block: 291892150031011
Block: 291892150031016
Block: 291892150031017
Block: 291892150031019
Block: 291892150031025
VTD: CC023
VTD: CC024
VTD: CC030
VTD: CC031
VTD: CC032
VTD: CC033
VTD: CC035
VTD: CC036
VTD: CC037
VTD: CC041
VTD: CC044
VTD: CC045
VTD: CC047
VTD: CC049
VTD: CC050
VTD: CC051
VTD: CC052
VTD: CC053 (part)
Block: 291892150031042
Block: 291892150041015
Block: 291892150041016
Block: 291892150052005
Block: 291892150052006
Block: 291892150052007
Block: 291892150052008
Block: 291892150052010
Block: 291892150052011
Block: 291892150053000
Block: 291892150053001
Block: 291892150053010
Block: 291892150053011
Block: 291892150053012
VTD: CC055
VTD: CC056
VTD: CC058 (part)
Block: 291892150051010
Block: 291892150051013
Block: 291892150051014
Block: 291892150052017
Block: 291892150052018

Block: 291892150052020
 Block: 291892150052021
 Block: 291892150052022
 Block: 291892150052023
 Block: 291892150052024
 Block: 291892150052025
 Block: 291892150052026
 Block: 291892150053021
 Block: 291892150053028
 Block: 291892150053029
 Block: 291892150053030
 Block: 291892150054012
 Block: 291892150054013
 Block: 291892153011000
 Block: 291892153011001
 Block: 291892153011002
 Block: 291892153011003
 Block: 291892155001016
 Block: 291892155001017
 Block: 291892156001048
 Block: 291892156001049
 Block: 291892156001054
 VTD: CC059
 VTD: CC061 (part)
 Block: 291892155004020
 VTD: CC062 (part)
 Block: 291892155004013
 Block: 291892155004018
 Block: 291892155004019
 Block: 291892155004022
 Block: 291892155004024
 VTD: CC203 (part)
 Block: 291892156001022
 Block: 291892156001023
 Block: 291892156001026
 Block: 291892156001027
 VTD: CC206
 VTD: CC208
 VTD: CC214
 VTD: CC216
 VTD: CHE012
 VTD: CHE014
 VTD: CHE019
 VTD: CHE022
 VTD: CHE023
 VTD: CHE027 (part)
 Block: 291892216212067
 VTD: CHE031
 VTD: CHE032
 VTD: CHE042
 VTD: CHE044
 VTD: CHE045
 VTD: CHE046
 VTD: CHE047
 VTD: CHE048
 VTD: CHE052

VTD: CHE203
VTD: CHE204
VTD: CHE212
VTD: CHE214
VTD: CHE215
VTD: CLA002
VTD: CLA003 (part)
Block: 291892164001000
Block: 291892164001001
Block: 291892164001003
Block: 291892164001004
Block: 291892164001007
Block: 291892164001008
Block: 291892164001014
Block: 291892164002014
Block: 291892164002015
VTD: CLA004
VTD: CLA006
VTD: CLA007
VTD: CLA008
VTD: CLA009
VTD: CLA010
VTD: CLA011 (part)
Block: 291892165001000
Block: 291892165001001
Block: 291892165001002
Block: 291892165001003
Block: 291892165001004
Block: 291892165001006
Block: 291892165001007
Block: 291892165001008
Block: 291892165001009
Block: 291892165001010
Block: 291892165001011
Block: 291892165001012
Block: 291892165001013
Block: 291892165001014
Block: 291892165001015
Block: 291892165001016
Block: 291892165001017
Block: 291892165001018
Block: 291892165001019
Block: 291892165002003
Block: 291892165002004
Block: 291892165002016
Block: 291892165002017
Block: 291892165002018
VTD: CLA012
VTD: CLA013
VTD: CLA014
VTD: CLA015 (part)
Block: 291892154002002
Block: 291892154002003
Block: 291892154002004
Block: 291892154002005
Block: 291892154002006

Block: 291892154002007
 Block: 291892154002008
 Block: 291892154002009
 Block: 291892154002010
 Block: 291892154002011
 Block: 291892154002013
 Block: 291892154002014
 Block: 291892154002015
 Block: 291892154002016
 Block: 291892154002017
 Block: 291892155004025
 VTD: CLA016
 VTD: CLA017
 VTD: CLA018
 VTD: CLA019
 VTD: CLA020
 VTD: CLA024
 VTD: CLA025
 VTD: CLA026
 VTD: CLA027
 VTD: CLA028
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 VTD: CLA044
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 VTD: CLA046
 VTD: CLA047
 VTD: CLA048
 VTD: CLA049
 VTD: CLA050 (part)
 Block: 291892189004000
 Block: 291892189004001
 Block: 291892189004002
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 Block: 291892189004004
 Block: 291892189004005
 Block: 291892189004006
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Block: 291892189004014
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Block: 291892189004018
Block: 291892189004020
Block: 291892189004021
Block: 291892189004022
VTD: CLA053
VTD: CLA055
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VTD: CLA212
VTD: CLA213
VTD: CLA214
VTD: CON001
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VTD: CON005
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VTD: JEF017 (part)
Block: 291892196001016
Block: 291892196001017
VTD: JEF018 (part)
Block: 291892191004014
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Block: 291892191004016
Block: 291892191004017
Block: 291892192002013
Block: 291892192002014
Block: 291892195003000
Block: 291892196003002
Block: 291892196003013

Block: 291892196003014
 Block: 291892196003018
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 VTD: JEF023 (part)
 Block: 291892193002000
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 Block: 291892193002013
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 VTD: JEF030 (part)
 Block: 291892195001001
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 Block: 291892195004002
 Block: 291892195004003
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 VTD: JEF040
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 VTD: JEF043
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VTD: JEF045
VTD: JEF046
VTD: JEF048 (part)
Block: 291892188003002
Block: 291892188003008
Block: 291892193002001
Block: 291892193002002
Block: 291892193002003
Block: 291892193002004
Block: 291892193002018
VTD: JEF049
VTD: JEF050
VTD: JEF200 (part)
Block: 291892196001014
Block: 291892196001015
Block: 291892196001018
Block: 291892196001019
VTD: JEF201
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VTD: LAF037 (part)
Block: 291892178511021

Block: 291892178511025

Block: 291892178511028

Block: 291892178522006

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VTD: LAF039

VTD: LAF040

VTD: LAF042

VTD: LAF043

VTD: LAF044

VTD: LAF201

VTD: LAF205

VTD: LAF207

VTD: LEM001

VTD: LEM002

VTD: LEM003

VTD: LEM004

VTD: LEM005

VTD: LEM006

VTD: LEM007

VTD: LEM008

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 VTD: MHT017
 VTD: MHT018 (part)
 Block: 291892132022002
 Block: 291892132022003
 Block: 291892132022004
 Block: 291892132022006
 Block: 291892132022007
 Block: 291892132022008
 Block: 291892132022009
 Block: 291892132022014
 Block: 291892132022015
 Block: 291892132022016
 Block: 291892132022017
 Block: 291892132022018
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VTD: MHT214
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VTD: MHT218
VTD: MHT219
VTD: MID001 (part)
Block: 291892150011003
Block: 291892150011004
Block: 291892150011005
Block: 291892150011048
Block: 291892150011049
VTD: MID057
VTD: MID200
VTD: MID201
VTD: MID207 (part)
Block: 291892150011047
Block: 291892150011098
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VTD: NW006
VTD: NW007
VTD: NW008 (part)
Block: 291892113332000
Block: 291892113341003
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Block: 291892113341017
Block: 291892113341018
Block: 291892113341032
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VTD: NW013 (part)
Block: 291892151431006
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Block: 291892151431008
Block: 291892151431009
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 Block: 291892151431081
 Block: 291892151431087
 Block: 291892151431089
 Block: 291892151431091
 Block: 291892151431092
 VTD: NW015
 VTD: NW018
 VTD: NW019 (part)
 Block: 291892132025000
 Block: 291892132025019
 Block: 291892132025021
 Block: 291892151432024
 VTD: NW021
 VTD: NW022
 VTD: NW023
 VTD: NW024
 VTD: NW025 (part)
 Block: 291892114013002
 Block: 291892114013003
 Block: 291892114013040
 VTD: NW027
 VTD: NW029
 VTD: NW030 (part)
 Block: 291892114013012
 Block: 291892114013013
 Block: 291892114013030
 VTD: NW032 (part)
 Block: 291892131021049
 Block: 291892131021050
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 Block: 291892131021054
 Block: 291892131021059
 Block: 291892131021090
 Block: 291892131021091
 Block: 291892131021092
 Block: 291892131021093
 Block: 291892131021102
 Block: 291892131021103
 Block: 291892131021112

Block: 291892131021113
Block: 291892131021115
Block: 291892151431002
Block: 291892151431005
VTD: NW033
VTD: NW035
VTD: NW036
VTD: NW038
VTD: NW039
VTD: NW040
VTD: NW041
VTD: NW042 (part)
Block: 291892131021048
Block: 291892131021094
Block: 291892131021095
Block: 291892131021096
Block: 291892131021097
Block: 291892131021098
Block: 291892131021099
Block: 291892131021100
Block: 291892131022041
Block: 291892131022049
Block: 291892131022050
Block: 291892131022051
Block: 291892131022052
Block: 291892131022053
Block: 291892131022054
Block: 291892131022057
VTD: NW044
VTD: NW046
VTD: NW048 (part)
Block: 291892114013004
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Block: 291892114013006
Block: 291892114013014
Block: 291892114013015
Block: 291892114013016
Block: 291892114013017
Block: 291892114013018
Block: 291892114013019
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Block: 291892114013024
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Block: 291892114013026
Block: 291892114013027
Block: 291892114013031
Block: 291892114013032
Block: 291892114013033
Block: 291892114013039
VTD: NW052
VTD: NW206 (part)
Block: 291892151431052
VTD: NW208

VTD: NW209
VTD: NW210
VTD: NW213
VTD: NW215
VTD: NW231
VTD: OAK001
VTD: OAK002
VTD: OAK003
VTD: OAK004
VTD: OAK005
VTD: OAK006
VTD: OAK007
VTD: OAK008
VTD: OAK009
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VTD: OAK011
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VTD: OAK018
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VTD: OAK020
VTD: OAK021
VTD: OAK022
VTD: OAK023
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VTD: OAK025
VTD: OAK026
VTD: OAK027
VTD: OAK028
VTD: OAK029
VTD: OAK030
VTD: OAK031
VTD: OAK032
VTD: OAK033
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VTD: OAK035
VTD: OAK036
VTD: OAK037
VTD: QUE001
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VTD: QUE201
VTD: QUE202
VTD: QUE204
VTD: QUE209
VTD: QUE210
VTD: QUE211
VTD: QUE212
VTD: QUE215
VTD: QUE216
VTD: QUE217
VTD: TSF001
VTD: TSF002
VTD: TSF003
VTD: TSF004
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VTD: TSF009

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VTD: TSF018
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VTD: TSF023
VTD: TSF024
VTD: TSF025
VTD: TSF026
VTD: TSF027
VTD: TSF028
VTD: TSF029
VTD: TSF030
VTD: TSF031
VTD: TSF032
VTD: TSF207
VTD: TSF208
VTD: UNV031 (part)
Block: 291892158005036
VTD: WH001
VTD: WH002
VTD: WH004
VTD: WH005
VTD: WH006
VTD: WH007
VTD: WH008
VTD: WH009
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VTD: WH011
VTD: WH012
VTD: WH013
VTD: WH014
VTD: WH015
VTD: WH016
VTD: WH017
VTD: WH018
VTD: WH019
VTD: WH020
VTD: WH023
VTD: WH024
VTD: WH025
VTD: WH026 (part)
Block: 291892216241016
Block: 291892216252004
Block: 291892216252010
VTD: WH027 (part)
Block: 291892178061012
Block: 291892178061014

Block: 291892178061015
Block: 291892178061016
Block: 291892178061017
Block: 291892216241005
VTD: WH028 (part)
Block: 291892178061000
VTD: WH029
VTD: WH030
VTD: WH031
VTD: WH032
VTD: WH033
VTD: WH034
VTD: WH035
VTD: WH036
VTD: WH037
VTD: WH038
VTD: WH039
VTD: WH040
VTD: WH041
VTD: WH042
VTD: WH043
VTD: WH044
VTD: WH045
VTD: WH046
VTD: WH047
VTD: WH048
VTD: WH049
VTD: WH050
VTD: WH051
VTD: WH208
VTD: WH209
VTD: WH212"; and

Further amend said bill, Pages 65 to 73, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following;

"Crawford MO County
Franklin MO County
Gasconade MO County
Lincoln MO County
Montgomery MO County
Perry MO County (part)
VTD: Brewer (part)
Block: 291574701002003
Block: 291574701002004
Block: 291574701002005
Block: 291574701002006
Block: 291574701002007
Block: 291574701002008
Block: 291574701002009
Block: 291574701002010
Block: 291574701002011
Block: 291574701002012
Block: 291574701002013
Block: 291574701002021
Block: 291574701002022

Block: 291574701002023
Block: 291574701002024
Block: 291574701002025
Block: 291574701002026
Block: 291574701002027
Block: 291574701002028
Block: 291574701002029
Block: 291574701002030
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Block: 291574701002073
Block: 291574701002074
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Block: 291574702002008
Block: 291574702002009
Block: 291574702002010
Block: 291574702002011
Block: 291574702002012
Block: 291574702002013
Block: 291574702002014
Block: 291574702002015
Block: 291574702002022

Block: 291574702002033
Block: 291574702002034
Block: 291574702003000
VTD: Lithium (part)
Block: 291574701003037
Block: 291574701003038
St. Charles MO County
St. Francois MO County
St. Louis MO County (part)
VTD: CHE001
VTD: CHE002
VTD: CHE003
VTD: CHE004
VTD: CHE005
VTD: CHE006
VTD: CHE007
VTD: CHE008
VTD: CHE009
VTD: CHE010
VTD: CHE011
VTD: CHE013
VTD: CHE015
VTD: CHE016
VTD: CHE017
VTD: CHE018
VTD: CHE020
VTD: CHE021
VTD: CHE024
VTD: CHE025
VTD: CHE026
VTD: CHE027 (part)
Block: 291892216211064
Block: 291892216212008
Block: 291892216212009
Block: 291892216212010
Block: 291892216212011
Block: 291892216212012
Block: 291892216212013
Block: 291892216212066
Block: 291892221002001
Block: 291892221002002
Block: 291892221002003
Block: 291892221002004
VTD: CHE028
VTD: CHE029
VTD: CHE030
VTD: CHE033
VTD: CHE035
VTD: CHE036
VTD: CHE037
VTD: CHE038
VTD: CHE039
VTD: CHE040
VTD: CHE041
VTD: CHE043
VTD: CHE049

VTD: CHE050
 VTD: CHE051
 VTD: CHE053
 VTD: CHE054
 VTD: CHE055
 VTD: CHE056
 VTD: CHE200
 VTD: CHE209
 VTD: LAF037 (part)
 Block: 291892178511026
 Block: 291892178511027
 VTD: LAF041
 VTD: MER002
 VTD: MER003
 VTD: MER004
 VTD: MER005
 VTD: MER022
 VTD: MER026
 VTD: MER035
 VTD: MER209
 VTD: MER219
 VTD: WH003
 VTD: WH021
 VTD: WH022
 VTD: WH026 (part)
 Block: 291892216241003
 Block: 291892216242000
 Block: 291892216242001
 Block: 291892216242002
 Block: 291892216242004
 Block: 291892216252000
 Block: 291892216252002
 Block: 291892216252005
 Block: 291892216261025
 Block: 291892216262017
 VTD: WH027 (part)
 Block: 291892178061004
 Block: 291892178061005
 Block: 291892178061009
 Block: 291892178061010
 Block: 291892178061011
 Block: 291892216241000
 Block: 291892216241001
 Block: 291892216241006
 Block: 291892216241007
 Block: 291892216241008
 Block: 291892216241009
 Block: 291892216241010
 Block: 291892216241011
 VTD: WH028 (part)
 Block: 291892178061001
 Block: 291892178061002
 Block: 291892178061003
 Block: 291892178061006
 Block: 291892178061007
 Block: 291892178061008

VTD: WH205
Ste. Genevieve MO County
Warren MO County
Washington MO County"; and

Further amend said bill, Pages 73 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following;

"Audrain MO County
Bates MO County
Benton MO County
Boone MO County
Callaway MO County
Camden MO County
Cass MO County
Cedar MO County
Cole MO County
Cooper MO County
Henry MO County
Hickory MO County (part)
VTD: Carson's Corner
VTD: Pittsburg
VTD: Pleasant Ridge
Howard MO County
Johnson MO County
Miller MO County
Moniteau MO County
Morgan MO County
Pettis MO County
Randolph MO County (part)
VTD: Clark
VTD: Higbee
VTD: Mt. Airy (part)
Block: 291754902002093
Block: 291754902002094
Block: 291754906002036
Block: 291754906002037
Block: 291754906002038
Block: 291754906002040
Block: 291754906002041
Block: 291754906002042
Block: 291754906002043
Block: 291754906002044
Block: 291754906002045
Block: 291754906002046
Block: 291754906002047
Block: 291754906002056
Block: 291754906002057
Block: 291754906002063
Block: 291754906002064
Block: 291754906002065
Block: 291754906002067
Block: 291754906002068
Block: 291754906002069
Block: 291754906002070
Block: 291754906002071

Block: 291754906002076

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Block: 291754906002080

Block: 291754906002082

Block: 291754906002083

Block: 291754906002084

Block: 291754906002091

Block: 291754906002092

Block: 291754906002093

Block: 291754906002094

Block: 291754906002096

VTD: North Sugar Creek

VTD: Renick

VTD: Salt Springs (part)

Block: 291754902002090

Block: 291754902002091

Block: 291754902002092

Block: 291754906002010

Block: 291754906002011

Block: 291754906002013

Block: 291754906002014

Block: 291754906002015

Block: 291754906002016

Block: 291754906002017

Block: 291754906002035

Block: 291754906002199

Block: 291754906002200

Block: 291754906002201

Block: 291754906002217

VTD: South Sugar Creek (part)

Block: 291754901002097

Block: 291754901002098

Block: 291754901002100

Block: 291754901002101

Block: 291754901002102

Block: 291754901002103

Block: 291754901002105

Block: 291754901002106

Block: 291754901002107

Block: 291754901002108

Block: 291754901002109

Block: 291754901002110

Block: 291754901002111

Block: 291754901002112

Block: 291754901002113

Block: 291754901002114

Block: 291754901002115

Block: 291754901002118

Block: 291754901002119

Block: 291754901002120

Block: 291754901002121

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Block: 291754901002126
Block: 291754901002127
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Block: 291754902002063
Block: 291754902002072

Block: 291754902002086
Block: 291754902002100
Block: 291754903002122
Block: 291754903002123
Block: 291754904001000
Block: 291754904001001
Block: 291754904001002
Block: 291754904001003
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Block: 291754905001001
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Block: 291754905001003
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Block: 291754905001007
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Block: 291754905002014
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Block: 291754905002018
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 Block: 291754905003092
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Block: 291754906001077

VTD: Yates

St. Clair MO County

Vernon MO County (part)

VTD: Harwood Town Hall (part)

Block: 292179501001085

Block: 292179501001086

Block: 292179501001092

Block: 292179501001093

Block: 292179501001094

Block: 292179501001095

Block: 292179501001119

Block: 292179501001120

Block: 292179501001123

Block: 292179501001124

Block: 292179501001125

Block: 292179501001126

Block: 292179501001127

Block: 292179501001128

Block: 292179501001129

Block: 292179501001130

Block: 292179501001131

Block: 292179501001132

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Block: 292179501001216
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Block: 292179501001241
Block: 292179501001243
Block: 292179501001244
Block: 292179501001247
Block: 292179501001249
Block: 292179501002233
Block: 292179501003000
VTD: Rinehart Christian Church
VTD: Schell City City Hall
VTD: Walker Community Building (part)
Block: 292179501002099
Block: 292179501002100
Block: 292179501002103
Block: 292179501002104
Block: 292179501002106
Block: 292179501002133
Block: 292179501002136
Block: 292179501002137
Block: 292179501002138
Block: 292179501002139
Block: 292179501002140
Block: 292179501002141
Block: 292179501002142
Block: 292179501002143
Block: 292179501002193"; and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following;

"Clay MO County (part)
VTD: Chou 8 (part)
Block: 290470208012009
Block: 290470208012013
Block: 290470208012014
Block: 290470208012015
Block: 290470208012021
Block: 290470208012022
Block: 290470208012023
Block: 290470208012024
Block: 290470208012025
Block: 290470208012026
Block: 290470208012027
Block: 290470208012028
Block: 290470208012029
Block: 290470208012030

Block: 290470208013004
Block: 290470208013005
Block: 290470208013006
Block: 290470208013007
Block: 290470208013008
Block: 290470208013009
Block: 290470208013010
Block: 290470208013011
Block: 290470208013012
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Block: 290470208013015
Block: 290470208013016
Block: 290470208013017
Block: 290470208013018
Block: 290470208013019
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Block: 290470208013023
Block: 290470208013024
Block: 290470208013025
Block: 290470208013026
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Block: 290470223021053
Block: 290470223021054
Block: 290470223021055
Block: 290470223021056

VTD: FR 1

VTD: FR 2

VTD: FR 3 (part)

Block: 290470217013045

Block: 290470217021000

Block: 290470217021001

Block: 290470217021002

Block: 290470217021003

Block: 290470217021004

Block: 290470217021005

Block: 290470217021006

Block: 290470217021007

Block: 290470217021008

Block: 290470217021009

Block: 290470217021010

Block: 290470217021011

Block: 290470217021012

Block: 290470217021013

Block: 290470217021014

Block: 290470217021015

Block: 290470217021016

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Block: 290470217021018

Block: 290470217021019

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Block: 290470217021030

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Block: 290470217021034

Block: 290470217021037

Block: 290470217021038

Block: 290470217021039

Block: 290470217023005

Block: 290470217023008

Block: 290470217023009

Block: 290470217023019

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Block: 290470217023024

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Block: 290470217023036

Block: 290470217024035
Block: 290470217024036
Block: 290470217025000
Block: 290470217025001
Block: 290470217025002
Block: 290470217025003
Block: 290470217025004
Block: 290470217025005
Block: 290470217025006
Block: 290470217025007
Block: 290470217025008
Block: 290470217025009
Block: 290470217025010
Block: 290470217025011
Block: 290470217025012
Block: 290470217025013
Block: 290470217025014
Block: 290470217025015
Block: 290470217025016
Block: 290470217025017
Block: 290470217025018
Block: 290470217025019
Block: 290470217025020
Block: 290470217025021
Block: 290470217025022
Block: 290470217025023
Block: 290470217025024
Block: 290470217025025
Block: 290470217025026
Block: 290470217025034
Block: 290470217025040
VTD: FR 5 (part)
Block: 290470217012044
Block: 290470217012045
Block: 290470217013022
Block: 290470217013025
Block: 290470217013026
Block: 290470218054036
VTD: Gal 1
VTD: Gal 10
VTD: Gal 11
VTD: Gal 12
VTD: Gal 13
VTD: Gal 14
VTD: Gal 15
VTD: Gal 16
VTD: Gal 18
VTD: Gal 2
VTD: Gal 3
VTD: Gal 4
VTD: Gal 5
VTD: Gal 6
VTD: Gal 7
VTD: Gal 9
VTD: KC 21-10
VTD: KC 21-11

VTD: KC 21-12 (part)

Block: 290470212053030
Block: 290470212062000
Block: 290470212062001
Block: 290470212062002
Block: 290470212062003
Block: 290470212062004
Block: 290470212062005
Block: 290470212062006
Block: 290470212062007
Block: 290470212062008
Block: 290470212062009
Block: 290470212062010
Block: 290470212062011
Block: 290470212062012
Block: 290470212062013
Block: 290470212062014
Block: 290470212062015
Block: 290470212062016
Block: 290470212062017
Block: 290470212062018
Block: 290470212062019
Block: 290470212062020
Block: 290470212062021
Block: 290470212062022
Block: 290470212062023
Block: 290470212062024
Block: 290470212062025
Block: 290470212062026
Block: 290470212062027
Block: 290470212062028
Block: 290470212062029
Block: 290470212062030
Block: 290470212062031
Block: 290470212062032
Block: 290470212062033
Block: 290470212062034
Block: 290470212062035
Block: 290470212062036
Block: 290470212062037
Block: 290470212062038
Block: 290470212062039
Block: 290470212062040
Block: 290470212062041
Block: 290470212062042
Block: 290470212062043
Block: 290470212062044
Block: 290470212062045
Block: 290470212063001
Block: 290470212063002
Block: 290470212063003
Block: 290470212063004
Block: 290470212063005
Block: 290470212063006
Block: 290470212063007
Block: 290470212063008

Block: 290470212063009
 Block: 290470212063012
 Block: 290470212063013
 Block: 290470212063014
 Block: 290470212063015
 Block: 290470212063016
 Block: 290470212063017
 Block: 290470212063018
 Block: 290470212063019
 Block: 290470212063020
 Block: 290470212063021
 Block: 290470212063024
 Block: 290470212063025
 Block: 290470212063026
 Block: 290470212063027
 VTD: KC 21-14
 VTD: KC 21-16 (part)
 Block: 290470212051000
 Block: 290470212051001
 Block: 290470212051002
 Block: 290470212051003
 Block: 290470212051004
 Block: 290470212051005
 Block: 290470212051006
 Block: 290470212051007
 Block: 290470212051008
 Block: 290470212051009
 Block: 290470212051010
 Block: 290470212051011
 Block: 290470212051012
 Block: 290470212051013
 Block: 290470212051014
 Block: 290470212051015
 Block: 290470212051016
 Block: 290470212051017
 Block: 290470212051018
 Block: 290470212051019
 Block: 290470212051020
 Block: 290470212051021
 Block: 290470212051022
 Block: 290470212051023
 Block: 290470212051024
 Block: 290470212051025
 Block: 290470212051026
 Block: 290470212051027
 Block: 290470212051028
 Block: 290470212051029
 Block: 290470212051030
 Block: 290470212051032
 Block: 290470212052011
 Block: 290470212052021
 Block: 290470212052022
 Block: 290470212052023
 Block: 290470212052024
 Block: 290470212052026
 Block: 290470212052027

Block: 290470212052028
Block: 290470212052029
Block: 290470212052030
Block: 290470212052034
Block: 290470212071014
Block: 290470212071015
Block: 290470212071016
Block: 290470212071017
Block: 290470212071018
Block: 290470212071019
Block: 290470212071020
Block: 290470212071021
Block: 290470212071022
Block: 290470212071023
Block: 290470212071024
Block: 290470212071025
Block: 290470212071026
Block: 290470212071027
Block: 290470212071029
Block: 290470212071030
Block: 290470212071031
Block: 290470212071032
Block: 290470212071033
Block: 290470212071034
Block: 290470212071035
Block: 290470212071036
Block: 290470212071037
Block: 290470212071038
Block: 290470212071039
Block: 290470212071040
Block: 290470212071041
Block: 290470212071042
Block: 290470212071043
Block: 290470212071044
Block: 290470212071045
Block: 290470212071046
Block: 290470212071047
Block: 290470212071048
Block: 290470212071049
Block: 290470212071050
Block: 290470212071051
Block: 290470212071053
Block: 290470212071054
Block: 290470212071055
Block: 290470212072030
Block: 290470212072040
Block: 290470212072041
VTD: KC 21-18
VTD: KC 21-19
VTD: KC 21-2 (part)
Block: 290470221002069
VTD: KC 21-20
VTD: KC 21-21
VTD: KC 21-22
VTD: KC 21-23
VTD: KC 21-24

VTD: KC 21-25
 VTD: KC 21-3
 VTD: KC 21-4
 VTD: KC 21-5
 VTD: KC 21-6
 VTD: KC 21-7
 VTD: KC 21-8
 VTD: KC 21-9
 VTD: Lib 13 (part)
 Block: 290470222002030
 VTD: Lib 5 (part)
 Block: 290470208012016
 VTD: Wash 1
 VTD: Wash 2
 Jackson MO County (part)
 VTD: Blue Sub 1 No. 1
 VTD: Blue Sub 1 No. 10
 VTD: Blue Sub 1 No. 11 & 11A
 VTD: Blue Sub 1 No. 12
 VTD: Blue Sub 1 No. 13
 VTD: Blue Sub 1 No. 14
 VTD: Blue Sub 1 No. 18
 VTD: Blue Sub 1 No. 2
 VTD: Blue Sub 1 No. 4 & 4A
 VTD: Blue Sub 1 No. 5
 VTD: Blue Sub 1 No. 6 & 6B
 VTD: Blue Sub 1 No. 6A
 VTD: Blue Sub 1 No. 7
 VTD: Blue Sub 1 No. 8,15,& 16
 VTD: Blue Sub 1 No. 9
 VTD: Blue Sub 2 No. 1
 VTD: Blue Sub 2 No. 10
 VTD: Blue Sub 2 No. 2
 VTD: Blue Sub 2 No. 3
 VTD: Blue Sub 2 No. 3A
 VTD: Blue Sub 2 No. 4
 VTD: Blue Sub 2 No. 5
 VTD: Blue Sub 2 No. 6
 VTD: Blue Sub 2 No. 7
 VTD: Blue Sub 2 No. 8
 VTD: Blue Sub 2 No. 9
 VTD: Blue Sub 3 No. 1
 VTD: Blue Sub 3 No. 11 (part)
 Block: 290950147021001
 Block: 290950147021003
 Block: 290950148041013
 Block: 290950148041023
 VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N
 VTD: Blue Sub 3 No. 15A
 VTD: Blue Sub 3 No. 16 & 16A
 VTD: Blue Sub 3 No. 2
 VTD: Blue Sub 3 No. 3
 VTD: Blue Sub 3 No. 4
 VTD: Blue Sub 3 No. 5
 VTD: Blue Sub 3 No. 5A
 VTD: Blue Sub 3 No. 9

VTD: Blue Sub 4 No. 1
VTD: Blue Sub 4 No. 10
VTD: Blue Sub 4 No. 11
VTD: Blue Sub 4 No. 12
VTD: Blue Sub 4 No. 2
VTD: Blue Sub 4 No. 3
VTD: Blue Sub 4 No. 4
VTD: Blue Sub 4 No. 5
VTD: Blue Sub 4 No. 6
VTD: Blue Sub 4 No. 7
VTD: Blue Sub 4 No. 8
VTD: Blue Sub 4 No. 9
VTD: Blue Sub 5 No. 1
VTD: Blue Sub 5 No. 11
VTD: Blue Sub 5 No. 13
VTD: Blue Sub 5 No. 14
VTD: Blue Sub 5 No. 15
VTD: Blue Sub 5 No. 2
VTD: Blue Sub 5 No. 3
VTD: Blue Sub 5 No. 4
VTD: Blue Sub 5 No. 5 & 12
VTD: Blue Sub 5 No. 6
VTD: Blue Sub 5 No. 7
VTD: Blue Sub 5 No. 8
VTD: Blue Sub 5 No. 9
VTD: Blue Sub 6 No. 1
VTD: Blue Sub 6 No. 10
VTD: Blue Sub 6 No. 11
VTD: Blue Sub 6 No. 12
VTD: Blue Sub 6 No. 2
VTD: Blue Sub 6 No. 3
VTD: Blue Sub 6 No. 4
VTD: Blue Sub 6 No. 5
VTD: Blue Sub 6 No. 5A
VTD: Blue Sub 6 No. 6
VTD: Blue Sub 6 No. 6A
VTD: Blue Sub 6 No. 7 & 7N
VTD: Blue Sub 6 No. 8
VTD: Blue Sub 6 No. 8A
VTD: Blue Sub 6 No. 9
VTD: Blue Sub 7 No. 1
VTD: Blue Sub 7 No. 10
VTD: Blue Sub 7 No. 11
VTD: Blue Sub 7 No. 12
VTD: Blue Sub 7 No. 13
VTD: Blue Sub 7 No. 14
VTD: Blue Sub 7 No. 2
VTD: Blue Sub 7 No. 2A
VTD: Blue Sub 7 No. 3
VTD: Blue Sub 7 No. 4
VTD: Blue Sub 7 No. 5 & 5A
VTD: Blue Sub 7 No. 6
VTD: Blue Sub 7 No. 7
VTD: Blue Sub 7 No. 8
VTD: Blue Sub 7 No. 9
VTD: Blue Sub 8 No. 1

VTD: Blue Sub 8 No. 10 & 10A

VTD: Blue Sub 8 No. 11 (part)

Block: 290950145012022

Block: 290950145012027

Block: 290950145021000

Block: 290950145021001

Block: 290950145021002

Block: 290950145021005

Block: 290950145021008

Block: 290950145021009

Block: 290950145021012

Block: 290950145021013

Block: 290950145021015

Block: 290950145021016

Block: 290950145021017

Block: 290950145021018

Block: 290950145022035

Block: 290950145022036

Block: 290950145022037

Block: 290950145022038

Block: 290950145022039

Block: 290950145022040

Block: 290950145022041

Block: 290950145022071

VTD: Blue Sub 8 No. 12,12A,& 12B (part)

Block: 290950145012000

Block: 290950145012001

Block: 290950145012002

Block: 290950145012003

Block: 290950145012004

Block: 290950145012005

Block: 290950145012006

Block: 290950145012007

Block: 290950145012008

Block: 290950145012009

Block: 290950145012010

Block: 290950145012011

Block: 290950145012012

Block: 290950145012013

Block: 290950145012014

Block: 290950145012015

Block: 290950145012018

Block: 290950145012019

Block: 290950145012020

Block: 290950145012021

Block: 290950145012034

Block: 290950145012035

Block: 290950145022028

Block: 290950145022029

Block: 290950145022030

Block: 290950145022031

Block: 290950145022032

Block: 290950145022033

Block: 290950145022034

Block: 290950146032029

Block: 290950146043026

Block: 290950146043027

VTD: Blue Sub 8 No. 13 & 13N

VTD: Blue Sub 8 No. 2

VTD: Blue Sub 8 No. 2A

VTD: Blue Sub 8 No. 3

VTD: Blue Sub 8 No. 5 & 5A

VTD: Blue Sub 8 No. 6

VTD: Blue Sub 8 No. 7

VTD: Blue Sub 8 No. 8

VTD: Blue Sub 8 No. 9

VTD: Blue Sub 8 No. 9A

VTD: Brooking No. 1

VTD: Brooking No. 10

VTD: Brooking No. 11

VTD: Brooking No. 12

VTD: Brooking No. 13

VTD: Brooking No. 14

VTD: Brooking No. 15

VTD: Brooking No. 16

VTD: Brooking No. 17

VTD: Brooking No. 18

VTD: Brooking No. 19

VTD: Brooking No. 2 & 2A

VTD: Brooking No. 20

VTD: Brooking No. 21

VTD: Brooking No. 22 & 22A

VTD: Brooking No. 23

VTD: Brooking No. 24

VTD: Brooking No. 25

VTD: Brooking No. 26

VTD: Brooking No. 27

VTD: Brooking No. 28

VTD: Brooking No. 3

VTD: Brooking No. 4

VTD: Brooking No. 5

VTD: Brooking No. 6

VTD: Brooking No. 7

VTD: Brooking No. 8

VTD: Brooking No. 9

VTD: Brooking No. 9A

VTD: Fort Osage No. 1,1A,2,& 3 (part)

Block: 290950177003027

Block: 290950177003028

Block: 290950177003063

Block: 290950177003064

Block: 290950177003071

Block: 290950177003078

VTD: KC WD1 PCT101

VTD: KC WD1 PCT102

VTD: KC WD1 PCT103

VTD: KC WD1 PCT104

VTD: KC WD1 PCT105

VTD: KC WD1 PCT106

VTD: KC WD1 PCT107

VTD: KC WD1 PCT108

VTD: KC WD1 PCT109

VTD: KC WD1 PCT110
 VTD: KC WD1 PCT111
 VTD: KC WD1 PCT511
 VTD: KC WD10 PCT1001
 VTD: KC WD10 PCT1002
 VTD: KC WD10 PCT1003
 VTD: KC WD10 PCT1004
 VTD: KC WD10 PCT1005
 VTD: KC WD10 PCT1006
 VTD: KC WD10 PCT1008
 VTD: KC WD10 PCT1009
 VTD: KC WD10 PCT1010
 VTD: KC WD10 PCT1011
 VTD: KC WD10 PCT1012
 VTD: KC WD10 PCT1013
 VTD: KC WD10 PCT1014
 VTD: KC WD10 PCT1015
 VTD: KC WD10 PCT2201
 VTD: KC WD11 PCT1101
 VTD: KC WD11 PCT1102
 VTD: KC WD11 PCT1103
 VTD: KC WD11 PCT1104
 VTD: KC WD11 PCT1105
 VTD: KC WD11 PCT1106
 VTD: KC WD11 PCT1107
 VTD: KC WD11 PCT1108
 VTD: KC WD11 PCT1109
 VTD: KC WD11 PCT1110
 VTD: KC WD11 PCT1209
 VTD: KC WD12 PCT1201
 VTD: KC WD12 PCT1202
 VTD: KC WD12 PCT1203
 VTD: KC WD12 PCT1204
 VTD: KC WD12 PCT1205
 VTD: KC WD12 PCT1206
 VTD: KC WD12 PCT1207
 VTD: KC WD12 PCT1208
 VTD: KC WD12 PCT1210
 VTD: KC WD12 PCT1305
 VTD: KC WD12 PCT1306
 VTD: KC WD12 PCT1307
 VTD: KC WD12 PCT1308
 VTD: KC WD12 PCT1309
 VTD: KC WD12 PCT1310
 VTD: KC WD13 PCT1301
 VTD: KC WD13 PCT1302
 VTD: KC WD13 PCT1303
 VTD: KC WD13 PCT1304
 VTD: KC WD13 PCT1501
 VTD: KC WD13 PCT1502
 VTD: KC WD14 PCT1401
 VTD: KC WD14 PCT1402
 VTD: KC WD14 PCT1403
 VTD: KC WD14 PCT1404
 VTD: KC WD14 PCT1405
 VTD: KC WD14 PCT1406

VTD: KC WD14 PCT1407
VTD: KC WD14 PCT1408
VTD: KC WD14 PCT1409
VTD: KC WD14 PCT1410
VTD: KC WD14 PCT1411
VTD: KC WD14 PCT1412
VTD: KC WD14 PCT1413
VTD: KC WD15 PCT1414
VTD: KC WD15 PCT1503
VTD: KC WD15 PCT1504
VTD: KC WD15 PCT1505
VTD: KC WD15 PCT1506
VTD: KC WD15 PCT1507
VTD: KC WD15 PCT1508
VTD: KC WD15 PCT1509
VTD: KC WD15 PCT1512
VTD: KC WD15 PCT1513
VTD: KC WD15 PCT1514
VTD: KC WD15 PCT311
VTD: KC WD15 PCT314
VTD: KC WD15 PCT718
VTD: KC WD16 PCT1511
VTD: KC WD16 PCT1601
VTD: KC WD16 PCT1602
VTD: KC WD16 PCT1603
VTD: KC WD16 PCT1604
VTD: KC WD16 PCT1605
VTD: KC WD16 PCT1607
VTD: KC WD16 PCT1608
VTD: KC WD16 PCT1609
VTD: KC WD16 PCT1610
VTD: KC WD16 PCT1611
VTD: KC WD16 PCT1612
VTD: KC WD16 PCT1613
VTD: KC WD16 PCT1614
VTD: KC WD16 PCT1615
VTD: KC WD16 PCT1616
VTD: KC WD16 PCT717
VTD: KC WD17 PCT1606
VTD: KC WD17 PCT1617
VTD: KC WD17 PCT1618
VTD: KC WD17 PCT1701
VTD: KC WD17 PCT1702
VTD: KC WD17 PCT1703
VTD: KC WD17 PCT1704
VTD: KC WD17 PCT1705
VTD: KC WD17 PCT1706
VTD: KC WD17 PCT1707
VTD: KC WD17 PCT1708
VTD: KC WD17 PCT1712
VTD: KC WD17 PCT1814
VTD: KC WD18 PCT1801
VTD: KC WD18 PCT1802
VTD: KC WD18 PCT1803
VTD: KC WD18 PCT1804
VTD: KC WD18 PCT1805

VTD: KC WD18 PCT1806
 VTD: KC WD18 PCT1807
 VTD: KC WD18 PCT1808
 VTD: KC WD18 PCT1809
 VTD: KC WD18 PCT1810
 VTD: KC WD18 PCT1812
 VTD: KC WD18 PCT1813
 VTD: KC WD18 PCT1816
 VTD: KC WD19 PCT1709
 VTD: KC WD19 PCT1710
 VTD: KC WD19 PCT1815
 VTD: KC WD19 PCT1817
 VTD: KC WD19 PCT1903
 VTD: KC WD19 PCT1905
 VTD: KC WD19 PCT1906
 VTD: KC WD19 PCT1907
 VTD: KC WD19 PCT1908
 VTD: KC WD19 PCT1909
 VTD: KC WD19 PCT1910
 VTD: KC WD19 PCT1911
 VTD: KC WD19 PCT1912
 VTD: KC WD19 PCT1913
 VTD: KC WD19 PCT1914
 VTD: KC WD19 PCT1916
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 VTD: KC WD19 PCT1918
 VTD: KC WD19 PCT1919
 VTD: KC WD19 PCT903
 VTD: KC WD19 PCT912
 VTD: KC WD2 PCT201
 VTD: KC WD2 PCT202
 VTD: KC WD2 PCT203
 VTD: KC WD2 PCT204
 VTD: KC WD2 PCT205
 VTD: KC WD2 PCT206
 VTD: KC WD2 PCT207
 VTD: KC WD2 PCT208
 VTD: KC WD2 PCT209
 VTD: KC WD2 PCT210
 VTD: KC WD2 PCT211
 VTD: KC WD2 PCT212
 VTD: KC WD2 PCT213
 VTD: KC WD2 PCT214
 VTD: KC WD2 PCT215
 VTD: KC WD2 PCT216
 VTD: KC WD20 PCT1901
 VTD: KC WD20 PCT2002
 VTD: KC WD20 PCT2003
 VTD: KC WD20 PCT2004
 VTD: KC WD20 PCT2005
 VTD: KC WD20 PCT2006
 VTD: KC WD20 PCT2007
 VTD: KC WD20 PCT2008
 VTD: KC WD20 PCT2009
 VTD: KC WD20 PCT2010
 VTD: KC WD22 PCT1007

VTD: KC WD22 PCT2202
VTD: KC WD22 PCT2203
VTD: KC WD22 PCT2204
VTD: KC WD22 PCT2205
VTD: KC WD22 PCT2206
VTD: KC WD22 PCT2207
VTD: KC WD22 PCT2208
VTD: KC WD22 PCT2209
VTD: KC WD22 PCT2210
VTD: KC WD22 PCT2211
VTD: KC WD22 PCT2212
VTD: KC WD22 PCT2213
VTD: KC WD23 PCT2301
VTD: KC WD23 PCT2302
VTD: KC WD23 PCT2303
VTD: KC WD23 PCT2304
VTD: KC WD23 PCT2305
VTD: KC WD23 PCT2306
VTD: KC WD23 PCT2307
VTD: KC WD23 PCT2308
VTD: KC WD23 PCT2309
VTD: KC WD23 PCT2310
VTD: KC WD23 PCT2311
VTD: KC WD23 PCT2312
VTD: KC WD23 PCT2313
VTD: KC WD23 PCT2314
VTD: KC WD23 PCT2315
VTD: KC WD23 PCT2316
VTD: KC WD23 PCT2317
VTD: KC WD23 PCT2318
VTD: KC WD24 PCT2401
VTD: KC WD24 PCT2402
VTD: KC WD24 PCT2403
VTD: KC WD24 PCT2404
VTD: KC WD24 PCT2405
VTD: KC WD24 PCT2407 (part)
Block: 290950142032014
Block: 290950142042013
Block: 290950143002029
Block: 290950143002030
VTD: KC WD24 PCT2408 (part)
Block: 290950142042014
Block: 290950142042050
Block: 290950142043043
Block: 290950143003000
Block: 290950143003001
Block: 290950143003006
Block: 290950143003007
Block: 290950143003008
Block: 290950143003009
Block: 290950143003010
Block: 290950143003011
Block: 290950143003012
Block: 290950143003013
Block: 290950143003015
Block: 290950143003016

Block: 290950143003017
 Block: 290950143003018
 Block: 290950143003019
 Block: 290950143003020
 Block: 290950143003021
 Block: 290950143003035
 Block: 290950143003036
 Block: 290950143003037
 Block: 290950143003038
 Block: 290950143003039
 Block: 290950143003040
 Block: 290950143003054
 Block: 290950143003055
 Block: 290950176004028
 VTD: KC WD24 PCT2409
 VTD: KC WD24 PCT2410
 VTD: KC WD24 PCT2412
 VTD: KC WD24 PCT2413
 VTD: KC WD24 PCT2414
 VTD: KC WD24 PCT2415
 VTD: KC WD24 PCT2416
 VTD: KC WD24 PCT2417
 VTD: KC WD24 PCT2418
 VTD: KC WD24 PCT2419
 VTD: KC WD24 PCT2420
 VTD: KC WD24 PCT2421
 VTD: KC WD24 PCT2422
 VTD: KC WD24 PCT2424
 VTD: KC WD24 PCT2425
 VTD: KC WD24 PCT2426
 VTD: KC WD24 PCT2427
 VTD: KC WD24 PCT2428
 VTD: KC WD24 PCT2429
 VTD: KC WD24 PCT2430
 VTD: KC WD24 PCT2431
 VTD: KC WD24 PCT2432
 VTD: KC WD24 PCT2601
 VTD: KC WD25 PCT2001
 VTD: KC WD25 PCT2501
 VTD: KC WD25 PCT2503
 VTD: KC WD25 PCT2504
 VTD: KC WD25 PCT2505
 VTD: KC WD25 PCT2506
 VTD: KC WD25 PCT2507
 VTD: KC WD25 PCT2508
 VTD: KC WD25 PCT2509
 VTD: KC WD25 PCT2510
 VTD: KC WD25 PCT2511
 VTD: KC WD25 PCT2602
 VTD: KC WD26 PCT1711
 VTD: KC WD26 PCT1902
 VTD: KC WD26 PCT2502
 VTD: KC WD26 PCT2603
 VTD: KC WD26 PCT2604
 VTD: KC WD26 PCT2605
 VTD: KC WD26 PCT2606

VTD: KC WD26 PCT2607
VTD: KC WD26 PCT2608
VTD: KC WD26 PCT2609
VTD: KC WD26 PCT2610
VTD: KC WD26 PCT2611
VTD: KC WD26 PCT2612
VTD: KC WD3 PCT301
VTD: KC WD3 PCT302
VTD: KC WD3 PCT303
VTD: KC WD3 PCT304
VTD: KC WD3 PCT305
VTD: KC WD3 PCT306
VTD: KC WD3 PCT307
VTD: KC WD3 PCT308
VTD: KC WD3 PCT309
VTD: KC WD3 PCT310
VTD: KC WD3 PCT312
VTD: KC WD3 PCT313
VTD: KC WD3 PCT716
VTD: KC WD4 PCT401
VTD: KC WD4 PCT402
VTD: KC WD4 PCT403
VTD: KC WD4 PCT404
VTD: KC WD4 PCT405
VTD: KC WD4 PCT406
VTD: KC WD4 PCT407
VTD: KC WD4 PCT408
VTD: KC WD4 PCT409
VTD: KC WD5 PCT410
VTD: KC WD5 PCT502
VTD: KC WD5 PCT503
VTD: KC WD5 PCT504
VTD: KC WD5 PCT505
VTD: KC WD5 PCT506
VTD: KC WD5 PCT507
VTD: KC WD5 PCT508
VTD: KC WD5 PCT509
VTD: KC WD5 PCT510
VTD: KC WD6 PCT501
VTD: KC WD6 PCT601
VTD: KC WD6 PCT602
VTD: KC WD6 PCT603
VTD: KC WD6 PCT604
VTD: KC WD6 PCT605
VTD: KC WD6 PCT606
VTD: KC WD6 PCT607
VTD: KC WD6 PCT608
VTD: KC WD6 PCT609
VTD: KC WD6 PCT610
VTD: KC WD6 PCT611
VTD: KC WD6 PCT612
VTD: KC WD6 PCT801
VTD: KC WD7 PCT701
VTD: KC WD7 PCT702
VTD: KC WD7 PCT703
VTD: KC WD7 PCT704

VTD: KC WD7 PCT705
VTD: KC WD7 PCT706
VTD: KC WD7 PCT707
VTD: KC WD7 PCT708
VTD: KC WD7 PCT709
VTD: KC WD7 PCT710
VTD: KC WD7 PCT711
VTD: KC WD7 PCT712
VTD: KC WD7 PCT713
VTD: KC WD7 PCT714
VTD: KC WD7 PCT715
VTD: KC WD7 PCT719
VTD: KC WD8 PCT613
VTD: KC WD8 PCT802
VTD: KC WD8 PCT803
VTD: KC WD8 PCT804
VTD: KC WD8 PCT805
VTD: KC WD8 PCT806
VTD: KC WD8 PCT807
VTD: KC WD8 PCT808
VTD: KC WD8 PCT809
VTD: KC WD8 PCT810
VTD: KC WD8 PCT811
VTD: KC WD8 PCT813
VTD: KC WD9 PCT1904
VTD: KC WD9 PCT812
VTD: KC WD9 PCT901
VTD: KC WD9 PCT902
VTD: KC WD9 PCT904
VTD: KC WD9 PCT905
VTD: KC WD9 PCT906
VTD: KC WD9 PCT907
VTD: KC WD9 PCT908
VTD: KC WD9 PCT909
VTD: KC WD9 PCT910
VTD: KC WD9 PCT911
VTD: Prairie No. 1
VTD: Prairie No. 10,11,& 12
VTD: Prairie No. 13
VTD: Prairie No. 13A
VTD: Prairie No. 14
VTD: Prairie No. 15
VTD: Prairie No. 16
VTD: Prairie No. 17
VTD: Prairie No. 18 & 19
VTD: Prairie No. 2
VTD: Prairie No. 20
VTD: Prairie No. 20A & 20B
VTD: Prairie No. 20C
VTD: Prairie No. 21
VTD: Prairie No. 22
VTD: Prairie No. 23
VTD: Prairie No. 24,24B,25A,68
VTD: Prairie No. 24A
VTD: Prairie No. 24C
VTD: Prairie No. 25

VTD: Prairie No. 3
VTD: Prairie No. 37
VTD: Prairie No. 37A
VTD: Prairie No. 38
VTD: Prairie No. 39
VTD: Prairie No. 39A
VTD: Prairie No. 40
VTD: Prairie No. 40A & 44A (part)
Block: 290950179003002
VTD: Prairie No. 43 & 79 (part)
Block: 290950142043051
Block: 290950142043052
Block: 290950142043054
Block: 290950142043056
Block: 290950143003028
Block: 290950179003004
VTD: Prairie No. 45 (part)
Block: 290950137031000
Block: 290950137031001
Block: 290950137031002
Block: 290950137031003
Block: 290950137031004
Block: 290950137031005
Block: 290950137031006
Block: 290950137031007
Block: 290950137031008
Block: 290950137031009
Block: 290950137031010
Block: 290950137032013
Block: 290950137032017
Block: 290950137032018
Block: 290950137033006
Block: 290950137033007
Block: 290950137033012
Block: 290950137033013
Block: 290950137033014
Block: 290950137033015
Block: 290950137033016
Block: 290950137033030
Block: 290950137033031
Block: 290950137033032
Block: 290950137033033
Block: 290950137033034
Block: 290950137033035
Block: 290950137033036
Block: 290950137033037
Block: 290950137033038
Block: 290950137033047
Block: 290950137033048
Block: 290950137033051
VTD: Prairie No. 50A (part)
Block: 290950139013031
Block: 290950139013032
Block: 290950139013033
Block: 290950139013034
Block: 290950139013035

Block: 290950139013036
 Block: 290950139013037
 VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)
 Block: 290950139011066
 Block: 290950139011067
 Block: 290950139012058
 Block: 290950139012066
 Block: 290950139012068
 Block: 290950139012069
 Block: 290950139012072
 Block: 290950139012073
 Block: 290950139012074
 Block: 290950139012075
 Block: 290950139012076
 Block: 290950139012149
 Block: 290950139012150
 Block: 290950139012151
 Block: 290950139012152
 Block: 290950139013055
 VTD: Prairie No. 51
 VTD: Prairie No. 51A
 VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N
 VTD: Prairie No. 52
 VTD: Prairie No. 52A
 VTD: Prairie No. 53
 VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)
 Block: 290950139011031
 Block: 290950139011032
 Block: 290950139011033
 Block: 290950139011034
 Block: 290950139011035
 Block: 290950139011036
 Block: 290950139011042
 Block: 290950141121045
 Block: 290950141121059
 VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)
 Block: 290950139011044
 Block: 290950139011045
 Block: 290950139011065
 VTD: Prairie No. 8 & 8B
 VTD: Prairie No. 8A
 VTD: Prairie No. 9
 VTD: Sni-A-Bar No. 1,1B,& 1C (part)
 Block: 290950145022002
 Block: 290950145022010
 Block: 290950145022011
 Block: 290950145022020
 Block: 290950145022044
 VTD: Sni-A-Bar No. 10 (part)
 Block: 290950141011005
 VTD: Sni-A-Bar No. 14,75N,& 75X (part)
 Block: 290950141011003
 Block: 290950141011004
 Block: 290950141011006
 Block: 290950141011007
 Block: 290950141011008

Block: 290950141011009

Block: 290950141011010

Block: 290950141011011

Block: 290950141011012

Block: 290950141011013

Block: 290950141011014

Block: 290950141011030

Block: 290950141011032

Block: 290950141011033

Block: 290950141011034

Block: 290950141011035

VTD: Sni-A-Bar No. 14A & 75A (part)

Block: 290950141011019

Block: 290950141011027

Block: 290950141011028

Block: 290950141011029

Block: 290950141011059

Block: 290950141013000

Block: 290950141013001

Block: 290950141013002

Block: 290950141013003

Block: 290950141013009

Block: 290950141013010

Block: 290950141013013

Block: 290950141013014

Block: 290950141013015

Block: 290950141055012

Block: 290950141055013

VTD: Sni-A-Bar No. 15 & 15A

VTD: Sni-A-Bar No. 15B

VTD: Sni-A-Bar No. 16,83,& 93

VTD: Sni-A-Bar No. 22 (part)

Block: 290950141012002

Block: 290950141012003

Block: 290950141012007

Block: 290950141012008

Block: 290950141012009

Block: 290950141012010

Block: 290950141012011

Block: 290950141012012

Block: 290950141012013

Block: 290950141012014

Block: 290950141012015

Block: 290950141012016

Block: 290950141014000

Block: 290950141014001

Block: 290950141014002

Block: 290950141014004

Block: 290950141014005

Block: 290950141014006

Block: 290950141014009

Block: 290950141014010

Block: 290950141014024

Block: 290950141014025

VTD: Sni-A-Bar No. 23 (part)

Block: 290950141014035

Block: 290950141014036

Block: 290950141014037

Block: 290950141014040

Block: 290950141014041

Block: 290950141014042

Block: 290950141014043

Block: 290950141014044

Block: 290950141014045

Block: 290950141014046

Block: 290950141014050

VTD: Sni-A-Bar No. 23A

VTD: Sni-A-Bar No. 24 (part)

Block: 290950141014007

Block: 290950141014008

Block: 290950141014011

Block: 290950141014012

Block: 290950141014017

Block: 290950141014018

Block: 290950141014019

Block: 290950141014020

Block: 290950141014021

Block: 290950141014022

Block: 290950141014023

Block: 290950141014026

Block: 290950141014027

Block: 290950141014028

Block: 290950141014029

Block: 290950141014030

Block: 290950141014031

Block: 290950141014032

Block: 290950141014033

Block: 290950141014038

Block: 290950141014039

VTD: Sni-A-Bar No. 27 (part)

Block: 290950141014048

Block: 290950141014049

Block: 290950141144000

Block: 290950141144001

Block: 290950141144002

Block: 290950141144006

Block: 290950141144009

Block: 290950141144015

Block: 290950141144016

Block: 290950141144017

Block: 290950141144018

Block: 290950141144019

Block: 290950141144020

Block: 290950141144021

Block: 290950141144022

VTD: Sni-A-Bar No. 31

VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)

Block: 290950141051011

Block: 290950141051012

Block: 290950141051013

Block: 290950141051022

Block: 290950141053001

Block: 290950141053002

Block: 290950141054000

Block: 290950141054001

Block: 290950141054003

Block: 290950141054004

Block: 290950141054005

Block: 290950141054013

Block: 290950141054014

Block: 290950141054015

Block: 290950141054016

Block: 290950141054017

Block: 290950141055018

Block: 290950141055030

Block: 290950141055035

Block: 290950141055036

Block: 290950141055037

Block: 290950141055038

Block: 290950141055039

Block: 290950141055040

Block: 290950141055042

Block: 290950141055046

Block: 290950141055057

Block: 290950141055058

Block: 290950141055059

VTD: Sni-A-Bar No. 31B

VTD: Sni-A-Bar No. 40 & 40B

VTD: Sni-A-Bar No. 40A & 41

VTD: Sni-A-Bar No. 40D & 40E

VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)

Block: 290950140021003

Block: 290950140021010

Block: 290950140021022

Block: 290950140021023

Block: 290950140071048

Block: 290950140071049

Block: 290950140071050

Block: 290950140071051

Block: 290950140071052

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Block: 290950140071058

Block: 290950140071059

Block: 290950140071060

Block: 290950140071061

Block: 290950140071062

Block: 290950140071063

Block: 290950140071064

Block: 290950140071066

Block: 290950140071067

Block: 290950140071068

Block: 290950140071069

Block: 290950140071070

Block: 290950140071082

Block: 290950140071083

Block: 290950140071085

Block: 290950140071086

Block: 290950140071088

Block: 290950140071093
Block: 290950140071094
Block: 290950140071095
Block: 290950141011017
Block: 290950141011018
Block: 290950141011021
VTD: Sni-A-Bar No. 50 & 91 (part)
Block: 290950140042006
Block: 290950140042007
Block: 290950140042008
Block: 290950140042009
Block: 290950140042010
Block: 290950140042011
Block: 290950140042012
Block: 290950140042013
Block: 290950140042014
Block: 290950140042024
Block: 290950140042025
Block: 290950140042026
Block: 290950140042027
Block: 290950140042028
Block: 290950140042029
Block: 290950140042030
Block: 290950140042031
Block: 290950140042032
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Block: 290950140042034
Block: 290950140042038
Block: 290950140042039
Block: 290950140042040
Block: 290950140042041
Block: 290950140042044
Block: 290950140051001
Block: 290950140051002
Block: 290950140051003
Block: 290950140051004
Block: 290950140051006
Block: 290950140051007
Block: 290950140051008
Block: 290950140051009
Block: 290950140051010
Block: 290950140051018
Block: 290950140051019
Block: 290950140051022
VTD: Sni-A-Bar No. 51,51A,& 94A
VTD: Sni-A-Bar No. 53 & 92 (part)
Block: 290950140041024
Block: 290950140041025
Block: 290950140041026
Block: 290950140041027
Block: 290950140041028
Block: 290950140041029
Block: 290950140041030
Block: 290950140041031
Block: 290950140041033
Block: 290950140041034

Block: 290950140041035
Block: 290950140041036
Block: 290950140041037
Block: 290950140041038
Block: 290950140041039
Block: 290950140042035
Block: 290950140042036
Block: 290950140042037
Block: 290950140042042
Block: 290950140042043
Block: 290950140051000
Block: 290950140052000
Block: 290950140052004
VTD: Sni-A-Bar No. 55
VTD: Sni-A-Bar No. 57
VTD: Sni-A-Bar No. 76 & 76A
VTD: Sni-A-Bar No. 77
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)
Block: 290950141055014
Block: 290950141055028
Block: 290950141055029
Block: 290950141055041
Block: 290950141055043
Block: 290950141055044
Block: 290950141055045
Block: 290950141055047
Block: 290950141055048
Block: 290950141055049
Block: 290950141055053
Block: 290950141055054
Block: 290950141055055
Block: 290950141055056
Block: 290950141055066
Block: 290950141055067
Block: 290950141111000
Block: 290950141111001
Block: 290950141111002
Block: 290950141111009
Block: 290950141121004
Block: 290950141121005
Block: 290950141121010
VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C
VTD: Sni-A-Bar No. 94,94B,95,& 96
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)
Block: 290950139011003
Block: 290950139011004
Block: 290950139011005
Block: 290950139011006
Block: 290950139011007
Block: 290950139011012
Block: 290950139011022
Block: 290950139011023
Block: 290950140022047
Block: 290950140022048
Block: 290950140022049
Block: 290950140022050

Block: 290950140022051

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Block: 290950140022061

Block: 290950140022062

Block: 290950140022063

Block: 290950140022064

Block: 290950140022065

Block: 290950141121011

Block: 290950141121013

Block: 290950141121031

Block: 290950141121032

Block: 290950141121033

Block: 290950141121036

Block: 290950141121040

Block: 290950141121041

Block: 290950141121049

Block: 290950141121051

VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24

VTD: Van Buren No. 25,26,27,28,29,30,& 32

VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)

Block: 290950139011001

Block: 290950139011009

Block: 290950139011010

Block: 290950139011011

Block: 290950139011013

Block: 290950139011014

Block: 290950139011015

Block: 290950139011016

Block: 290950139011017

Block: 290950139011018

Block: 290950139011019

Block: 290950139011020

Block: 290950139011021

Block: 290950139011024

Block: 290950139011025

Block: 290950139011026

Block: 290950139011027

Block: 290950139011028

Block: 290950139011029

Block: 290950139011030

Block: 290950139011037

Block: 290950139011038

Block: 290950139011039

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Block: 290950139011059
Block: 290950139011060
Block: 290950139011069
Block: 290950139011070
Block: 290950139011074
Block: 290950139011075
Block: 290950141121050
Block: 290950141121052
Block: 290950141121060
Block: 290950141121062
VTD: Van Buren No. 31 & 33
VTD: Van Buren No. 34,35,36,& 37
VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43
VTD: Van Buren No. 41 & 42
VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20
VTD: Washington No. 1
VTD: Washington No. 10 & 10N
VTD: Washington No. 11
VTD: Washington No. 12
VTD: Washington No. 13
VTD: Washington No. 14
VTD: Washington No. 15
VTD: Washington No. 16
VTD: Washington No. 17
VTD: Washington No. 2
VTD: Washington No. 3
VTD: Washington No. 4
VTD: Washington No. 5
VTD: Washington No. 6
VTD: Washington No. 7
VTD: Washington No. 8
VTD: Washington No. 9
Lafayette MO County
Ray MO County
Saline MO County"; and

Further amend said bill, Pages 127 to 158, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following;

"Adair MO County
Andrew MO County
Atchison MO County
Buchanan MO County
Caldwell MO County
Carroll MO County
Chariton MO County
Clark MO County

Clay MO County (part)

VTD: Chou 8 (part)

Block: 290470223021029

VTD: FR 3 (part)

Block: 290470216001153

Block: 290470216001156

Block: 290470217021035

Block: 290470217021036

Block: 290470217025027

Block: 290470217025033

Block: 290470217025035

Block: 290470217025036

Block: 290470217025037

Block: 290470217025038

Block: 290470217025039

VTD: FR 4

VTD: FR 5 (part)

Block: 290470216001006

Block: 290470216001008

Block: 290470216001009

Block: 290470216001010

Block: 290470216001011

Block: 290470216001012

Block: 290470216001013

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Block: 290470216001110
Block: 290470216001111
Block: 290470216001112
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Block: 290470216001114

Block: 290470216001130
Block: 290470217012046
Block: 290470217012048
Block: 290470217013019
Block: 290470217013020
Block: 290470217013021
Block: 290470218054017
Block: 290470218054019
Block: 290470218054020
Block: 290470218054021
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Block: 290470218054065
Block: 290470218054130
Block: 290470218054131
Block: 290470218054132
Block: 290470218054133
Block: 290470218054158
Block: 290470218054159
VTD: Gal 17
VTD: KC 21 Lib 1
VTD: KC 21 Lib 2
VTD: KC 21 Lib 3
VTD: KC 21 Pl 1
VTD: KC 21-1
VTD: KC 21-12 (part)
Block: 290470212052031
Block: 290470212052032
Block: 290470212052033
Block: 290470212053000
Block: 290470212053001

Block: 290470212053002
Block: 290470212053003
Block: 290470212053004
Block: 290470212053005
Block: 290470212053006
Block: 290470212053007
Block: 290470212053008
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Block: 290470213102030
VTD: KC 21-13
VTD: KC 21-15
VTD: KC 21-16 (part)
Block: 290470212052001
Block: 290470212052002
VTD: KC 21-17
VTD: KC 21-2 (part)
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Block: 290470202021072
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Block: 290470202022002
Block: 290470202022003
Block: 290470202022004
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Block: 290470221002240
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Block: 290470221002252
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Block: 290470221002267
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Block: 290470221002274
Block: 290470221002275
Block: 290470221002276
VTD: KC 21-26
VTD: Kry 1
VTD: Kry 2
VTD: Kry 3
VTD: Kry 4
VTD: Lib 1
VTD: Lib 10
VTD: Lib 11
VTD: Lib 12
VTD: Lib 13 (part)
Block: 290470222002035
Block: 290470222002036
Block: 290470222002147
Block: 290470223012024
Block: 290470223012025
Block: 290470223012026
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Block: 290470223021017
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Block: 290470223021019
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Block: 290470223023050

Block: 290470223023052

Block: 290470223023058

Block: 290470223023059

VTD: Lib 14

VTD: Lib 2

VTD: Lib 3

VTD: Lib 4

VTD: Lib 5 (part)

Block: 290470208011005

Block: 290470208011006

Block: 290470208011007

Block: 290470208011038

Block: 290470208011039

Block: 290470208011040

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Block: 290470208011047

Block: 290470208011048

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Block: 290470208011058

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Block: 290470208015009

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Block: 290470208015011

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Block: 290470208015014
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Block: 290470208015016
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Block: 290470208015023
Block: 290470208015024
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Block: 290470208015026
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Block: 290470223021013
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Block: 290470223021022
Block: 290470223021023
Block: 290470223021027
Block: 290470223021061
Block: 290470223021062
Block: 290470223021063
VTD: Lib 6
VTD: Lib 7
VTD: Lib 8
VTD: Lib 9
VTD: Pl 1
VTD: Pl 2
VTD: Pl 3
VTD: Wash 3
Clinton MO County
Daviess MO County
DeKalb MO County
Gentry MO County
Grundy MO County
Harrison MO County
Holt MO County
Jackson MO County (part)
VTD: Blue Sub 3 No. 11 (part)
Block: 290950147021004
Block: 290950148041006
Block: 290950148041009
Block: 290950148041010
Block: 290950148041014
VTD: Blue Sub 3 No. 12 & 13
VTD: Blue Sub 8 No. 11 (part)
Block: 290950145021006
Block: 290950145021014
Block: 290950145021026

VTD: Blue Sub 8 No. 12,12A,& 12B (part)

Block: 290950145022054

Block: 290950145022055

VTD: Fort Osage No. 1,1A,2,& 3 (part)

Block: 290950147021002

Block: 290950148041000

Block: 290950148041001

Block: 290950148041002

Block: 290950148041003

Block: 290950148041004

Block: 290950148041005

Block: 290950148041007

Block: 290950148041039

Block: 290950150001071

Block: 290950150001072

Block: 290950150001076

Block: 290950150001077

Block: 290950177001000

Block: 290950177001001

Block: 290950177001002

Block: 290950177001003

Block: 290950177001004

Block: 290950177001005

Block: 290950177001006

Block: 290950177001008

Block: 290950177001009

Block: 290950177001010

Block: 290950177001011

Block: 290950177001012

Block: 290950177001013

Block: 290950177001014

Block: 290950177001015

Block: 290950177001016

Block: 290950177001017

Block: 290950177001018

Block: 290950177001019

Block: 290950177001020

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Block: 290950177001026

Block: 290950177001027

Block: 290950177001028

Block: 290950177001035

Block: 290950177001036

Block: 290950177003000

Block: 290950177003001

Block: 290950177003002

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Block: 290950177003004

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Block: 290950177003006

Block: 290950177003007

Block: 290950177003008

Block: 290950177003009

Block: 290950177003010

Block: 290950177003011
Block: 290950177003012
Block: 290950177003013
Block: 290950177003014
Block: 290950177003015
Block: 290950177003016
Block: 290950177003017
Block: 290950177003018
Block: 290950177003019
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Block: 290950177003072
Block: 290950177003073
Block: 290950177003074
Block: 290950177003075
Block: 290950177003076
Block: 290950177003077
VTD: Fort Osage No. 11,12,& 15N
VTD: Fort Osage No. 16,17,17A,19,& 20
VTD: Fort Osage No. 21
VTD: Fort Osage No. 27 & 28
VTD: Fort Osage No. 4
VTD: Fort Osage No. 5 & 30
VTD: Fort Osage No. 6
VTD: Fort Osage No. 7,8,25,& 26
VTD: Fort Osage No. 9
VTD: KC WD24 PCT2406
VTD: KC WD24 PCT2407 (part)
Block: 290950142032009
Block: 290950142032013
VTD: KC WD24 PCT2408 (part)
Block: 290950142043041
Block: 290950142043042
Block: 290950142043044
VTD: KC WD24 PCT2423
VTD: Prairie No. 26,27,28,& 78
VTD: Prairie No. 29 & 30C
VTD: Prairie No. 30
VTD: Prairie No. 30A
VTD: Prairie No. 30B,82,& 82A
VTD: Prairie No. 31
VTD: Prairie No. 33
VTD: Prairie No. 34
VTD: Prairie No. 35
VTD: Prairie No. 4
VTD: Prairie No. 40A & 44A (part)
Block: 290950179003000
Block: 290950179003005
Block: 290950179003006
Block: 290950185001051
Block: 290950186001019
Block: 290950186001023

Block: 290950186001025
Block: 290950186001026
Block: 290950186001027
Block: 290950186001028
Block: 290950186001033
Block: 290950186002004
Block: 290950186002005
Block: 290950186002006
Block: 290950186002014
Block: 290950186002015
Block: 290950186002016
VTD: Prairie No. 41,42,& 81
VTD: Prairie No. 43 & 79 (part)
Block: 290950142042033
Block: 290950142042034
Block: 290950142042051
Block: 290950142042052
Block: 290950142042053
Block: 290950142042054
Block: 290950142042055
Block: 290950142042056
Block: 290950142042057
Block: 290950142042058
Block: 290950142043030
Block: 290950142043037
Block: 290950142043038
Block: 290950142043039
Block: 290950142043040
Block: 290950142043049
Block: 290950142043050
Block: 290950142043053
Block: 290950142043055
Block: 290950143003027
Block: 290950185001048
Block: 290950185001049
Block: 290950185001050
Block: 290959891001038
Block: 290959891001039
Block: 290959891001040
Block: 290959891001043
Block: 290959891001044
VTD: Prairie No. 45 (part)
Block: 290950137032016
Block: 290950137032020
VTD: Prairie No. 46,67,67A,& 67B
VTD: Prairie No. 47
VTD: Prairie No. 48
VTD: Prairie No. 49
VTD: Prairie No. 5
VTD: Prairie No. 50
VTD: Prairie No. 50A (part)
Block: 290950139041016
Block: 290950139041018
Block: 290950139042001
Block: 290950139042002
Block: 290950139042003

Block: 290950139042004

Block: 290950139042005

Block: 290950139042006

Block: 290950139042007

Block: 290950139042008

Block: 290950139042010

Block: 290950139042011

Block: 290950139042012

Block: 290950139042013

Block: 290950139042014

Block: 290950139043026

Block: 290950139043027

Block: 290950139043028

Block: 290950139043030

Block: 290950139043031

VTD: Prairie No. 50B

VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)

Block: 290950139013023

Block: 290950139013024

Block: 290950139013025

Block: 290950139013026

Block: 290950139013027

Block: 290950139013028

Block: 290950139013029

Block: 290950139013030

Block: 290950139043000

Block: 290950139043001

Block: 290950139043033

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Block: 290950139161006

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Block: 290950139161008

Block: 290950139161009

Block: 290950139161010

Block: 290950139161011

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Block: 290950139161015

Block: 290950139161016

Block: 290950139161017

Block: 290950139161018

Block: 290950139161020

Block: 290950139162050

Block: 290950139162051

Block: 290950139162056

VTD: Prairie No. 50D

VTD: Prairie No. 55 & 56

VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X

VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)

Block: 290950141121020

Block: 290950141121021

Block: 290950141121022

Block: 290950141121023

Block: 290950141121024

Block: 290950141121025

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Block: 290950141121048

Block: 290950141121056

Block: 290950141121057

Block: 290950141201046

Block: 290950141201054

Block: 290950141201055

Block: 290950141201056

Block: 290950141201057

Block: 290950141201058

Block: 290950141201060

Block: 290950141201067

VTD: Prairie No. 6

VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)

Block: 290950139013000

Block: 290950139013001

Block: 290950139013002

Block: 290950139013003

Block: 290950139013004

Block: 290950139013005

Block: 290950139013006

Block: 290950139013008

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Block: 290950139013015

Block: 290950139013016

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Block: 290950139161003

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Block: 290950141121058

Block: 290950141201045

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Block: 290950141201053

Block: 290950141201059

Block: 290950141201061

Block: 290950141201062

Block: 290950141201063

Block: 290950141201064

Block: 290950141201065

Block: 290950141201066

Block: 290950141201068

Block: 290950141201069
Block: 290959891001045
Block: 290959891001046
Block: 290959891001047
Block: 290959891001057
Block: 290959891001058
Block: 290959891001059
Block: 290959891001060
Block: 290959891001063
Block: 290959891001066
Block: 290959891001069
VTD: Prairie No. 66 & 66F
VTD: Prairie No. 66A,66B,66C,& 66G
VTD: Prairie No. 66D & 66E
VTD: Prairie No. 69
VTD: Prairie No. 7
VTD: Prairie No. 70,70A,70B,70C,& 70D
VTD: Sni-A-Bar No. 1,1B,& 1C (part)
Block: 290950145022007
Block: 290950145022008
Block: 290950145022009
Block: 290950145022017
Block: 290950145022018
Block: 290950145022019
Block: 290950145022042
Block: 290950145022043
Block: 290950145022045
Block: 290950145022046
Block: 290950145022047
Block: 290950145022048
Block: 290950145022049
Block: 290950145022050
Block: 290950145022051
Block: 290950145022052
Block: 290950145022053
Block: 290950145022060
Block: 290950145022061
Block: 290950145022062
Block: 290950145022063
Block: 290950145022064
Block: 290950145022065
Block: 290950145022066
Block: 290950145022068
Block: 290950145022070
Block: 290950193001005
Block: 290950193001006
Block: 290950193001007
Block: 290950193001008
VTD: Sni-A-Bar No. 10 (part)
Block: 290950149042003
Block: 290950149042004
Block: 290950149042005
Block: 290950149042006
Block: 290950149042007
Block: 290950149042008
Block: 290950149042009

Block: 290950149042010
 Block: 290950149042011
 Block: 290950149042012
 Block: 290950149042013
 Block: 290950149042014
 Block: 290950149042018
 Block: 290950149042019
 Block: 290950149042020
 Block: 290950149042021
 Block: 290950149042022
 VTD: Sni-A-Bar No. 11
 VTD: Sni-A-Bar No. 11A
 VTD: Sni-A-Bar No. 14,75N,& 75X (part)
 Block: 290950149052013
 Block: 290950149052014
 Block: 290950149052015
 Block: 290950149052016
 Block: 290950149052017
 VTD: Sni-A-Bar No. 14A & 75A (part)
 Block: 290950141011015
 VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69
 VTD: Sni-A-Bar No. 18,68N,& 68X
 VTD: Sni-A-Bar No. 19
 VTD: Sni-A-Bar No. 1A
 VTD: Sni-A-Bar No. 2 & 3A
 VTD: Sni-A-Bar No. 20 & 70A
 VTD: Sni-A-Bar No. 21,21B,70,& 71
 VTD: Sni-A-Bar No. 22 (part)
 Block: 290950141012001
 Block: 290950141012004
 Block: 290950141012005
 Block: 290950141012006
 Block: 290950141012017
 Block: 290950141014003
 Block: 290950141081014
 Block: 290950141081018
 VTD: Sni-A-Bar No. 23 (part)
 Block: 290950141083003
 Block: 290950141083004
 Block: 290950141083005
 Block: 290950141083006
 Block: 290950141083007
 Block: 290950141083008
 Block: 290950141083009
 Block: 290950141083010
 Block: 290950141083011
 Block: 290950141083012
 Block: 290950141083013
 Block: 290950141083014
 Block: 290950141083015
 Block: 290950141083016
 Block: 290950141083017
 Block: 290950141083018
 Block: 290950141083019
 Block: 290950141083024
 Block: 290950141083025

Block: 290950141083026
Block: 290950141083027
Block: 290950141083028
Block: 290950141083029
Block: 290950141083030
Block: 290950141083031
Block: 290950141083032
Block: 290950141083033
Block: 290950141083036
Block: 290950141083037
Block: 290950141083040
VTD: Sni-A-Bar No. 24 (part)
Block: 290950141014013
Block: 290950141014014
Block: 290950141014015
Block: 290950141014016
Block: 290950141014034
Block: 290950141014047
Block: 290950141082019
Block: 290950141082020
Block: 290950141082021
Block: 290950141082022
Block: 290950141082023
Block: 290950141082024
Block: 290950141082026
Block: 290950141082027
Block: 290950141082028
Block: 290950141082029
Block: 290950141082030
Block: 290950141082031
Block: 290950141082032
Block: 290950141082033
Block: 290950141082034
Block: 290950141083000
Block: 290950141083001
Block: 290950141083002
Block: 290950141083020
Block: 290950141083021
Block: 290950141083022
Block: 290950141083023
VTD: Sni-A-Bar No. 25, 72A, & 72B
VTD: Sni-A-Bar No. 26 & 26N
VTD: Sni-A-Bar No. 27 (part)
Block: 290950141083039
Block: 290950141144003
Block: 290950141144004
Block: 290950141144005
Block: 290950141144007
Block: 290950141144008
Block: 290950141144010
Block: 290950141144011
Block: 290950141144012
Block: 290950141144013
Block: 290950141144014
VTD: Sni-A-Bar No. 29 & 73
VTD: Sni-A-Bar No. 3 & 3B

VTD: Sni-A-Bar No. 30

VTD: Sni-A-Bar No. 30A,30B,30C,& 30D

VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)

Block: 290950141054002

Block: 290950141054010

Block: 290950141054011

Block: 290950141054012

Block: 290950141055020

Block: 290950141055022

Block: 290950141055026

Block: 290950141055027

Block: 290950141055068

Block: 290950141055069

VTD: Sni-A-Bar No. 32 & 78N

VTD: Sni-A-Bar No. 33

VTD: Sni-A-Bar No. 34,34A,& 74

VTD: Sni-A-Bar No. 35

VTD: Sni-A-Bar No. 35A

VTD: Sni-A-Bar No. 36,36A,& 79A

VTD: Sni-A-Bar No. 37,38,& 39

VTD: Sni-A-Bar No. 4 & 4N

VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)

Block: 290950140071002

Block: 290950140071003

Block: 290950140071004

Block: 290950140071005

Block: 290950140071006

Block: 290950140071011

Block: 290950140071012

Block: 290950140071013

Block: 290950140071014

Block: 290950140071018

Block: 290950140071025

Block: 290950140071026

Block: 290950140071027

Block: 290950140071028

Block: 290950140071029

Block: 290950140071030

Block: 290950140071031

Block: 290950140071032

Block: 290950140071038

Block: 290950140071041

Block: 290950140071044

Block: 290950140071045

Block: 290950140071046

Block: 290950140071047

Block: 290950140071054

Block: 290950140071055

Block: 290950140071056

Block: 290950140071057

Block: 290950140071080

Block: 290950140071081

Block: 290950140071096

Block: 290950140071097

Block: 290950149032075

Block: 290950149032076

Block: 290950149032077
Block: 290950149032106
Block: 290950149032135
VTD: Sni-A-Bar No. 49
VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X
VTD: Sni-A-Bar No. 5 & 5N
VTD: Sni-A-Bar No. 50 & 91 (part)
Block: 290950140042000
Block: 290950140042001
VTD: Sni-A-Bar No. 52 & 52A
VTD: Sni-A-Bar No. 53 & 92 (part)
Block: 290950140041022
VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97
VTD: Sni-A-Bar No. 6 & 6B
VTD: Sni-A-Bar No. 65,65N,& 65X
VTD: Sni-A-Bar No. 68 & 68Z
VTD: Sni-A-Bar No. 6A & 66
VTD: Sni-A-Bar No. 6C,6D,6E,& 6F
VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)
Block: 290950141055021
Block: 290950141055023
Block: 290950141055024
Block: 290950141055025
Block: 290950141055064
Block: 290950141111003
Block: 290950141111005
Block: 290950141111006
Block: 290950141111010
Block: 290950141111011
Block: 290950141111013
Block: 290950141111014
Block: 290950141111029
Block: 290950141111051
Block: 290950141121006
Block: 290950141121017
VTD: Sni-A-Bar No. 8
VTD: Sni-A-Bar No. 80
VTD: Sni-A-Bar No. 81B
VTD: Sni-A-Bar No. 82,82A,82N,& 82X
VTD: Sni-A-Bar No. 89
VTD: Sni-A-Bar No. 9
VTD: Sni-A-Bar No. 90,90A,90B,& 90N
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)
Block: 290950141121014
Block: 290950141121015
Block: 290950141121016
Block: 290950141121018
Block: 290950141121019
Block: 290950141121034
Block: 290950141121035
Block: 290950141121037
Block: 290950141121038
Block: 290950141121039
Block: 290950141121053
Block: 290950141121054

Block: 290950141121055

VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)

Block: 290950139013007

Block: 290950139013009

Block: 290950139013010

Block: 290950139013011

Block: 290950139013012

Block: 290950139013014

Block: 290950139013017

Block: 290950139013018

Block: 290950139013022

Knox MO County

Lewis MO County

Linn MO County

Livingston MO County

Macon MO County

Marion MO County

Mercer MO County

Monroe MO County

Nodaway MO County

Pike MO County

Platte MO County

Putnam MO County

Ralls MO County

Randolph MO County (part)

VTD: Cairo

VTD: Clifton Hill

VTD: Darksville

VTD: Huntsville

VTD: Jacksonville

VTD: Levicks Mill

VTD: Mt. Airy (part)

Block: 291754902001169

Block: 291754902001170

Block: 291754902001172

Block: 291754902001173

Block: 291754902002079

Block: 291754902002080

Block: 291754906002048

Block: 291754906002049

Block: 291754906002053

Block: 291754906002058

Block: 291754906002059

Block: 291754906002060

Block: 291754906002062

Block: 291754906002194

VTD: Salt Springs (part)

Block: 291754902001115

Block: 291754902001116

Block: 291754902001123

Block: 291754902001124

Block: 291754902001125

Block: 291754902001130

Block: 291754902001131

Block: 291754902001155

Block: 291754902001156

Block: 291754902001157
Block: 291754902001158
Block: 291754902001159
Block: 291754902001160
Block: 291754902001161
Block: 291754902001162
Block: 291754902001163
Block: 291754902001164
Block: 291754902001165
Block: 291754902001168
Block: 291754902001171
Block: 291754902001174
Block: 291754902002056
Block: 291754902002057
Block: 291754902002058
Block: 291754902002062
Block: 291754902002064
Block: 291754902002065
Block: 291754902002066
Block: 291754902002067
Block: 291754902002068
Block: 291754902002069
Block: 291754902002070
Block: 291754902002071
Block: 291754902002073
Block: 291754902002074
Block: 291754902002075
Block: 291754902002076
Block: 291754902002077
Block: 291754902002078
Block: 291754902002081
Block: 291754902002082
Block: 291754902002083
Block: 291754902002084
Block: 291754902002085
Block: 291754902002087
Block: 291754902002088
Block: 291754902002089
Block: 291754902004062
Block: 291754902004063
Block: 291754902004064
Block: 291754902004065
Block: 291754902004066
Block: 291754906002000
Block: 291754906002001
Block: 291754906002002
Block: 291754906002003
Block: 291754906002004
Block: 291754906002005
Block: 291754906002006
Block: 291754906002007
Block: 291754906002012
Block: 291754906002025
Block: 291754906002050
Block: 291754906002051
Block: 291754906002052

Block: 291754906002204
Block: 291754906002205
Block: 291754906002218
Block: 291754906002219
VTD: South Sugar Creek (part)
Block: 291754901002104
VTD: Thomas Hill
VTD: Union
Schuyler MO County
Scotland MO County
Shelby MO County
Sullivan MO County
Worth MO County"; and

Further amend said bill, Pages 158 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following;

"Barry MO County
Barton MO County
Christian MO County
Dade MO County
Douglas MO County (part)
VTD: Buchanan (part)
Block: 290679502003065
Block: 290679502003066
Block: 290679502003071
Block: 290679502003072
Block: 290679502003073
Block: 290679502003074
Block: 290679502003077
Block: 290679502003078
Block: 290679502003079
Block: 290679502003080
Block: 290679502003081
Block: 290679502003082
Block: 290679502003083
Block: 290679502003084
Block: 290679502003085
Block: 290679502003086
Block: 290679502003087
Block: 290679502003088
Block: 290679502003089
Block: 290679502003090
Block: 290679502003091
Block: 290679502003092
Block: 290679502003093
Block: 290679502003094
Block: 290679502003095
Block: 290679502003096
Block: 290679502003157
Block: 290679502003230
Block: 290679502003231
Block: 290679502003232
Block: 290679502003234
Block: 290679502003235
Greene MO County

Jasper MO County
Lawrence MO County
McDonald MO County
Newton MO County
Stone MO County
Taney MO County
Vernon MO County (part)
VTD: 1st Baptist Church
VTD: Bronaugh School
VTD: Courthouse
VTD: Deerfield Baptist Church
VTD: Harwood Town Hall (part)
Block: 292179501001195
Block: 292179501001196
Block: 292179501001197
Block: 292179501001198
Block: 292179501001200
Block: 292179501001209
Block: 292179501001210
Block: 292179501001211
Block: 292179501001218
Block: 292179501001219
Block: 292179501001220
Block: 292179501001221
Block: 292179501001242
Block: 292179501001250
Block: 292179501001251
Block: 292179501002196
Block: 292179501002197
Block: 292179501002198
Block: 292179501002199
Block: 292179501002200
Block: 292179501002201
Block: 292179501002202
Block: 292179501002203
Block: 292179501002204
Block: 292179501002205
Block: 292179501002206
Block: 292179501002207
Block: 292179501002231
Block: 292179501002232
Block: 292179501002241
Block: 292179501003001
Block: 292179501003002
Block: 292179501003003
Block: 292179501003004
Block: 292179501003005
Block: 292179501003006
Block: 292179501003007
Block: 292179501003008
Block: 292179501003009
Block: 292179501003010
Block: 292179501003011
Block: 292179501003012
Block: 292179501003013
Block: 292179501003020

Block: 292179501003021
Block: 292179501003022
Block: 292179501003023
Block: 292179501003024
Block: 292179501003306
VTD: Home EC Building
VTD: Milo Fire Barn
VTD: Moundville Community Building
VTD: National Guard Armory
VTD: Sheldon Community Building
VTD: United Methodist Church
VTD: Virgil
VTD: Walker Community Building (part)
Block: 292179501002080
Block: 292179501002081
Block: 292179501002082
Block: 292179501002083
Block: 292179501002087
Block: 292179501002088
Block: 292179501002089
Block: 292179501002090
Block: 292179501002105
Block: 292179501002107
Block: 292179501002108
Block: 292179501002109
Block: 292179501002110
Block: 292179501002111
Block: 292179501002112
Block: 292179501002113
Block: 292179501002114
Block: 292179501002118
Block: 292179501002119
Block: 292179501002120
Block: 292179501002121
Block: 292179501002122
Block: 292179501002123
Block: 292179501002124
Block: 292179501002125
Block: 292179501002126
Block: 292179501002127
Block: 292179501002128
Block: 292179501002129
Block: 292179501002130
Block: 292179501002131
Block: 292179501002132
Block: 292179501002134
Block: 292179501002135
Block: 292179501002144
Block: 292179501002145
Block: 292179501002146
Block: 292179501002147
Block: 292179501002148
Block: 292179501002149
Block: 292179501002150
Block: 292179501002151
Block: 292179501002152

Block: 292179501002153
Block: 292179501002154
Block: 292179501002155
Block: 292179501002156
Block: 292179501002157
Block: 292179501002158
Block: 292179501002159
Block: 292179501002160
Block: 292179501002161
Block: 292179501002162
Block: 292179501002163
Block: 292179501002164
Block: 292179501002165
Block: 292179501002166
Block: 292179501002167
Block: 292179501002168
Block: 292179501002169
Block: 292179501002170
Block: 292179501002171
Block: 292179501002172
Block: 292179501002173
Block: 292179501002174
Block: 292179501002175
Block: 292179501002176
Block: 292179501002177
Block: 292179501002178
Block: 292179501002179
Block: 292179501002180
Block: 292179501002181
Block: 292179501002182
Block: 292179501002183
Block: 292179501002184
Block: 292179501002185
Block: 292179501002186
Block: 292179501002187
Block: 292179501002188
Block: 292179501002189
Block: 292179501002190
Block: 292179501002191
Block: 292179501002192
Block: 292179501002194
Block: 292179501002195
Block: 292179501002208
Block: 292179501002209
Block: 292179501002210
Block: 292179501002211
Block: 292179501002212
Block: 292179501002215
Block: 292179501002236
Block: 292179501002242
Block: 292179501002244
VTD: YMCA"; and

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 204, by deleting all of said lines and inserting in lieu thereof the following;

**"Bollinger MO County
Butler MO County
Cape Girardeau MO County
Carter MO County
Dallas MO County
Dent MO County
Douglas MO County (part)
VTD: Benton No. 1
VTD: Benton No. 2
VTD: Boone
VTD: Brown
VTD: Brush Creek
VTD: Bryan
VTD: Buchanan (part)
Block: 290679502002143
Block: 290679502002179
Block: 290679502002180
Block: 290679502003033
Block: 290679502003034
Block: 290679502003035
Block: 290679502003036
Block: 290679502003037
Block: 290679502003038
Block: 290679502003039
Block: 290679502003045
Block: 290679502003046
Block: 290679502003047
Block: 290679502003048
Block: 290679502003049
Block: 290679502003050
Block: 290679502003052
Block: 290679502003053
Block: 290679502003055
Block: 290679502003056
Block: 290679502003057
Block: 290679502003058
Block: 290679502003059
Block: 290679502003060
Block: 290679502003061
Block: 290679502003062
Block: 290679502003063
Block: 290679502003064
Block: 290679502003067
Block: 290679502003075
Block: 290679502003076
Block: 290679502003239
VTD: Campbell
VTD: Cass
VTD: Champion
VTD: Clay
VTD: Clinton
VTD: Findley
VTD: Jackson**

VTD: Lincoln
VTD: McKinley
VTD: McMurtrey
VTD: Miller
VTD: Richland
VTD: Spencer
VTD: Spring Creek
VTD: Walls
VTD: Washington
VTD: Wood
Dunklin MO County
Howell MO County
Iron MO County
Laclede MO County
Madison MO County
Maries MO County
Mississippi MO County
New Madrid MO County
Oregon MO County
Osage MO County
Ozark MO County
Pemiscot MO County
Perry MO County (part)
VTD: Altenburg
VTD: Belgique
VTD: Biehle
VTD: Brewer (part)
Block: 291574701002038
Block: 291574701002063
Block: 291574701002064
Block: 291574701002065
Block: 291574702002001
Block: 291574702002023
Block: 291574702003001
Block: 291574702003002
Block: 291574702003003
VTD: Crosstown
VTD: Farrar
VTD: Frohna
VTD: Highland
VTD: Lithium (part)
Block: 291574701002000
Block: 291574701002001
Block: 291574701002002
Block: 291574701002014
Block: 291574701002015
Block: 291574701002016
Block: 291574701002017
Block: 291574701002018
Block: 291574701002019
Block: 291574701002020
Block: 291574701002070
Block: 291574701002071
Block: 291574701002072
Block: 291574701003012
Block: 291574701003013

Block: 291574701003014
Block: 291574701003027
Block: 291574701003028
Block: 291574701003029
Block: 291574701003030
Block: 291574701003031
Block: 291574701003032
Block: 291574701003033
Block: 291574701003034
Block: 291574701003035
Block: 291574701003036
Block: 291574701003039
Block: 291574701003040
Block: 291574701003041
Block: 291574701003042
Block: 291574701003043
Block: 291574701003044
Block: 291574701003056
Block: 291574701003057
Block: 291574701003058
Block: 291574701003059
Block: 291574701003060
Block: 291574701003061
Block: 291574701003062
Block: 291574701003072
Block: 291574701003073
Block: 291574701003074
Block: 291574701003075
Block: 291574701003076
Block: 291574701003077
Block: 291574701003078
Block: 291574701003079
Block: 291574701003080
Block: 291574701003081
Block: 291574701003082
Block: 291574701003083
Block: 291574701003084
Block: 291574701003085
Block: 291574701003086
Block: 291574701003087
Block: 291574701003149
Block: 291574701003151
Block: 291574701003152
Block: 291574701003158
Block: 291574701003162
VTD: Longtown
VTD: P-4
VTD: P-5
VTD: Sereno
VTD: Silver Lake
VTD: Uniontown
VTD: Yount
Phelps MO County
Polk MO County
Pulaski MO County
Reynolds MO County

Ripley MO County
Scott MO County
Shannon MO County
Stoddard MO County
Texas MO County
Wayne MO County
Webster MO County
Wright MO County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Casey moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curtman	Ellinger	Fallert	Funderburk	Harris
Hodges	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Zerr			

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Fisher

Hinson

Scharnhorst

Schneider

Webber

Zimmerman

VACANCIES: 001

Representative Colona offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 193, Pages 1 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

"St. Louis City MO County (part)

VTD: ST 1-4

VTD: STL 1-1

VTD: STL 1-2

VTD: STL 1-3

VTD: STL 1-5

VTD: STL 1-6

VTD: STL 1-7

VTD: STL 17-1

VTD: STL 17-11

VTD: STL 17-2

VTD: STL 17-3

VTD: STL 17-4

VTD: STL 17-5

VTD: STL 17-7

VTD: STL 17-8

VTD: STL 17-9

VTD: STL 1-8

VTD: STL 18-1

VTD: STL 18-2

VTD: STL 18-3

VTD: STL 18-4

VTD: STL 18-5

VTD: STL 18-6

VTD: STL 19-1

VTD: STL 19-10

VTD: STL 19-2

VTD: STL 19-3

VTD: STL 19-4

VTD: STL 19-5

VTD: STL 19-6

VTD: STL 19-7

VTD: STL 19-8

VTD: STL 19-9

VTD: STL 2-1

VTD: STL 21-1

VTD: STL 21-2

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VTD: STL 22-7
VTD: STL 2-3
VTD: STL 2-4
VTD: STL 24-9
VTD: STL 2-5
VTD: STL 2-6
VTD: STL 26-1
VTD: STL 26-2
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VTD: STL 7-7

St. Louis MO County (part)

VTD: AP001

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VTD: SPL030
VTD: SPL201
VTD: SPL202
VTD: SPL207
VTD: SPL208
VTD: UNV001
VTD: UNV002
VTD: UNV003
VTD: UNV004
VTD: UNV005
VTD: UNV006
VTD: UNV007
VTD: UNV008
VTD: UNV009
VTD: UNV010
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VTD: UNV049
VTD: UNV200
VTD: UNV201
VTD: UNV205
VTD: UNV206
VTD: UNV208
VTD: WH001
VTD: WH006
VTD: WH011
VTD: WH015
VTD: WH024
VTD: WH029
VTD: WH032
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VTD: WH046
VTD: WH047
VTD: WH048
VTD: WH049
VTD: WH050
VTD: WH051
VTD: WH209
VTD: WH212"; and

Further amend said bill, Pages 22 to 64, Section 128.452, Lines 2 to 1841, by deleting all of said lines and inserting in lieu thereof the following;

"Franklin MO County
Lincoln MO County
Montgomery MO County (part)
VTD: Bellflower
VTD: High Hill
VTD: Jonesburg
VTD: Middletown
VTD: Montgomery
VTD: New Florence/Danville (part)
Block: 291399702001077
Block: 291399702001085

Block: 291399702001086
Block: 291399702001184
Block: 291399703001132
Block: 291399703001142
Block: 291399703001143
Block: 291399703001147
Block: 291399703001148
Block: 291399703001272
Block: 291399703001273
Block: 291399703001274
Block: 291399703002002
Block: 291399703002003
Block: 291399703002004
Block: 291399703002011
Block: 291399703002012
Block: 291399703002013
Block: 291399703002014
Block: 291399703002015
Block: 291399703002016
Block: 291399703002017
Block: 291399703002018
Block: 291399703002019
Block: 291399703002020
Block: 291399703002021
Block: 291399703002024
Block: 291399703002028
Block: 291399703002029
Block: 291399703002030
Block: 291399703002031
Block: 291399703002032
Block: 291399703002033
Block: 291399703002035
Block: 291399703002036
Block: 291399703002038
Block: 291399703002039
Block: 291399703002040
Block: 291399703002041
Block: 291399703002042
Block: 291399703002043
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Block: 291399703002046
Block: 291399703002047
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Block: 291399703002061
Block: 291399703002062
Block: 291399703002063
Block: 291399703002064
Block: 291399703002065
Block: 291399703002066
Block: 291399703002067
Block: 291399703002068
Block: 291399703002069
Block: 291399703002070
Block: 291399703002071
Block: 291399703002072
Block: 291399703002073
Block: 291399703002074
Block: 291399703002075
Block: 291399703002076
Block: 291399703002077
Block: 291399703002078
Block: 291399703002079
Block: 291399703002080
Block: 291399703002081
Block: 291399703002082
Block: 291399703002083
Block: 291399703002084
Block: 291399703002085
Block: 291399703002086
Block: 291399703002087
Block: 291399703002088
Block: 291399703002089
Block: 291399703002090
Block: 291399703002091
Block: 291399703002092
Block: 291399703002093
Block: 291399703002094
Block: 291399703002098
Block: 291399703002103
Block: 291399703002104
Block: 291399703002109
Block: 291399703002110
Block: 291399703002111
Block: 291399703002112
Block: 291399703002113
Block: 291399703002114
Block: 291399703002115
Block: 291399703002116
Block: 291399703002117
Block: 291399703002118
Block: 291399703002124
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Block: 291399703002148
Block: 291399703002162
Block: 291399703002163
Block: 291399703002164
Block: 291399703002165
Block: 291399703002166
Block: 291399703002167
Block: 291399703002173
Block: 291399703002175
Block: 291399703002176
Block: 291399703002177
Block: 291399703002178
Block: 291399703002179
Block: 291399703002182
Block: 291399703002185
Block: 291399703002186
Block: 291399703003000
Block: 291399703003001
Block: 291399703003002
Block: 291399703003003
Block: 291399703003015
VTD: Wellsville
Pike MO County
St. Charles MO County
St. Louis MO County (part)
VTD: BON003
VTD: BON010
VTD: BON015
VTD: BON016
VTD: BON025
VTD: BON035
VTD: BON037
VTD: BON038
VTD: BON039
VTD: BON040
VTD: BON041
VTD: BON042
VTD: BON043
VTD: BON044
VTD: BON046
VTD: BON206
VTD: BON207
VTD: CHE001

VTD: CHE002
VTD: CHE003
VTD: CHE004
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VTD: CHE020
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VTD: CHE200
VTD: CHE203
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VTD: CHE209
VTD: CHE212
VTD: CHE214
VTD: CHE215
VTD: CON015
VTD: CON024
VTD: CON025
VTD: CON031
VTD: CON042
VTD: CON043
VTD: CON048
VTD: CON051
VTD: GRA009
VTD: GRA010
VTD: GRA011
VTD: GRA012
VTD: GRA014
VTD: GRA041
VTD: GRA045
VTD: GRA046
VTD: LAF005
VTD: LAF006
VTD: LAF007
VTD: LAF008
VTD: LAF009
VTD: LAF010
VTD: LAF011
VTD: LAF012
VTD: LAF014
VTD: LAF016
VTD: LAF017
VTD: LAF026
VTD: LAF028
VTD: LAF029
VTD: LAF030
VTD: LAF031
VTD: LAF032
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VTD: LAF034
VTD: LAF035
VTD: LAF037
VTD: LAF039
VTD: LAF040
VTD: LAF041
VTD: LAF042
VTD: LAF043
VTD: LAF044
VTD: LAF201
VTD: LAF205
VTD: MER001
VTD: MER002
VTD: MER003
VTD: MER004
VTD: MER005
VTD: MER006
VTD: MER007

VTD: MER008
VTD: MER009
VTD: MER011
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VTD: MER035
VTD: MER037
VTD: MER039
VTD: MER041
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VTD: MER046
VTD: MER047
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VTD: MER050
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VTD: MER052
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VTD: MER203
VTD: MER207
VTD: MER209
VTD: MER211
VTD: MER212
VTD: MER214
VTD: MER219
VTD: MHT035
VTD: MHT039
VTD: MHT212
VTD: MHT214
VTD: MHT219
VTD: MR001
VTD: MR002
VTD: MR003
VTD: MR004
VTD: MR005
VTD: MR006
VTD: MR009
VTD: MR011

VTD: MR017
VTD: MR018
VTD: MR020
VTD: MR021
VTD: MR022
VTD: MR023
VTD: MR024
VTD: MR025
VTD: MR026
VTD: MR027
VTD: MR028 (part)
Block: 291892180031006
Block: 291892180121017
Block: 291892180121019
Block: 291892180121028
Block: 291892180122022
Block: 291892180123000
Block: 291892180123001
Block: 291892180123016
Block: 291892180123017
Block: 291892180123018
VTD: MR029
VTD: MR031
VTD: MR033
VTD: MR034
VTD: MR036
VTD: MR037
VTD: MR038
VTD: MR039
VTD: MR041
VTD: MR043
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VTD: MR053
VTD: MR055
VTD: MR059
VTD: MR060
VTD: MR061
VTD: MR062
VTD: MR063
VTD: MR064
VTD: MR066
VTD: MR067
VTD: MR078
VTD: MR079
VTD: MR080
VTD: MR200
VTD: MR202
VTD: MR203
VTD: MR209
VTD: TSF001
VTD: TSF003
VTD: TSF004
VTD: TSF006

VTD: TSF009
VTD: TSF011
VTD: TSF012
VTD: TSF013
VTD: TSF014
VTD: TSF018
VTD: TSF019 (part)
Block: 291892213013002
Block: 291892213013003
Block: 291892213013004
Block: 291892213013005
Block: 291892213013006
Block: 291892213013007
Block: 291892213013008
Block: 291892213013009
Block: 291892213013010
Block: 291892213013011
Block: 291892213013012
Block: 291892213013013
Block: 291892213013014
Block: 291892213013015
Block: 291892213013016
Block: 291892213013017
Block: 291892213013018
Block: 291892213013019
Block: 291892213013020
Block: 291892213013021
Block: 291892213013023
Block: 291892213013024
Block: 291892213014004
VTD: TSF020
VTD: TSF021
VTD: TSF025
VTD: TSF207
VTD: TSF208
VTD: WH002
VTD: WH003
VTD: WH004
VTD: WH005
VTD: WH007
VTD: WH008
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VTD: WH027
VTD: WH028
VTD: WH030
VTD: WH031
VTD: WH035
VTD: WH036
VTD: WH037
VTD: WH205
VTD: WH208
Warren MO County"; and

Further amend said bill, Pages 65 to 73, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following;

"Crawford MO County
Jefferson MO County
St. Francois MO County
St. Louis City MO County (part)
VTD: STL 10-1
VTD: STL 10-2
VTD: STL 10-3
VTD: STL 10-4
VTD: STL 10-5
VTD: STL 10-6
VTD: STL 10-7
VTD: STL 11-1
VTD: STL 11-2
VTD: STL 11-3
VTD: STL 11-4
VTD: STL 11-5
VTD: STL 12-1
VTD: STL 12-2
VTD: STL 12-3
VTD: STL 12-4
VTD: STL 12-5
VTD: STL 12-6
VTD: STL 12-7
VTD: STL 13-1
VTD: STL 13-2
VTD: STL 13-3
VTD: STL 13-4
VTD: STL 13-5
VTD: STL 13-6
VTD: STL 14-1
VTD: STL 14-2
VTD: STL 14-3
VTD: STL 14-4
VTD: STL 14-5
VTD: STL 14-6
VTD: STL 14-7
VTD: STL 15-1
VTD: STL 15-2
VTD: STL 15-3
VTD: STL 15-4
VTD: STL 15-5
VTD: STL 15-6

VTD: STL 16-1
VTD: STL 16-2
VTD: STL 16-3
VTD: STL 16-4
VTD: STL 16-5
VTD: STL 16-6
VTD: STL 16-7
VTD: STL 16-8
VTD: STL 17-10
VTD: STL 17-6
VTD: STL 20-1
VTD: STL 20-2
VTD: STL 20-3
VTD: STL 20-4
VTD: STL 20-5
VTD: STL 23-1
VTD: STL 23-2
VTD: STL 23-3
VTD: STL 23-4
VTD: STL 23-5
VTD: STL 23-6
VTD: STL 23-7
VTD: STL 23-8
VTD: STL 24-1
VTD: STL 24-2
VTD: STL 24-3
VTD: STL 24-4
VTD: STL 24-5
VTD: STL 24-6
VTD: STL 24-7
VTD: STL 24-8
VTD: STL 25-1
VTD: STL 25-2
VTD: STL 25-3
VTD: STL 25-4
VTD: STL 28-2
VTD: STL 6-1
VTD: STL 6-2
VTD: STL 6-3
VTD: STL 6-7
VTD: STL 7-1
VTD: STL 7-2
VTD: STL 7-3
VTD: STL 7-6
VTD: STL 8-1
VTD: STL 8-2
VTD: STL 8-3
VTD: STL 8-4
VTD: STL 8-5
VTD: STL 8-6
VTD: STL 8-7
VTD: STL 8-8
VTD: STL 8-9
VTD: STL 9-1
VTD: STL 9-2
VTD: STL 9-3

VTD: STL 9-4
VTD: STL 9-5
VTD: STL 9-6
VTD: STL 9-7
VTD: STL 9-8
St. Louis MO County (part)
VTD: BON004
VTD: BON018
VTD: BON028
VTD: BON029
VTD: BON036
VTD: BON202
VTD: BON203
VTD: CLA002
VTD: CLA003
VTD: CLA004
VTD: CLA008
VTD: CLA009
VTD: CLA010
VTD: CLA011
VTD: CLA017
VTD: CLA030
VTD: CLA031
VTD: CLA038
VTD: CLA039
VTD: CLA041
VTD: CLA043
VTD: CLA044
VTD: CLA046
VTD: CLA052 (part)
Block: 291892189005022
Block: 291892189005037
VTD: CLA053
VTD: CLA059
VTD: CLA200
VTD: CLA204
VTD: CLA206
VTD: CLA207
VTD: CLA208
VTD: CLA209
VTD: CLA212
VTD: CLA213
VTD: CON001
VTD: CON002
VTD: CON003
VTD: CON004
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VTD: CON047
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VTD: CON050
VTD: CON052
VTD: CON200
VTD: CON201
VTD: CON203
VTD: CON204
VTD: CON205
VTD: GRA001
VTD: GRA003
VTD: GRA004
VTD: GRA005
VTD: GRA006
VTD: GRA007
VTD: GRA008
VTD: GRA013
VTD: GRA015
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VTD: GRA040
VTD: GRA042
VTD: GRA043
VTD: GRA044
VTD: GRA047
VTD: GRA048
VTD: GRA049
VTD: GRA050
VTD: GRA051
VTD: GRA052
VTD: GRA053
VTD: GRA054
VTD: GRA055
VTD: GRA056
VTD: GRA202
VTD: GRA203
VTD: GRA204
VTD: GRA205
VTD: GRA206
VTD: GRA209
VTD: GRA210
VTD: HAD001
VTD: HAD002
VTD: HAD003
VTD: HAD004
VTD: HAD005
VTD: HAD009
VTD: HAD010
VTD: HAD011
VTD: HAD012
VTD: HAD013
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VTD: HAD033
VTD: HAD034
VTD: HAD035
VTD: HAD037
VTD: JEF006
VTD: JEF007
VTD: JEF008
VTD: JEF009
VTD: JEF010
VTD: JEF011
VTD: JEF012
VTD: JEF013
VTD: JEF014
VTD: JEF015
VTD: JEF016
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VTD: JEF018
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VTD: JEF020
VTD: JEF021
VTD: JEF022
VTD: JEF023
VTD: JEF024
VTD: JEF025
VTD: JEF026
VTD: JEF027
VTD: JEF028
VTD: JEF029
VTD: JEF030
VTD: JEF031
VTD: JEF038
VTD: JEF041
VTD: JEF042
VTD: JEF043
VTD: JEF044
VTD: JEF045
VTD: JEF046
VTD: JEF047 (part)
Block: 291892193001004
Block: 291892193001010
Block: 291892193001020
VTD: JEF048
VTD: JEF049
VTD: JEF050
VTD: JEF200
VTD: LEM001
VTD: LEM002
VTD: LEM003
VTD: LEM004
VTD: LEM005
VTD: LEM006

VTD: LEM007
VTD: LEM008
VTD: LEM009
VTD: LEM010
VTD: LEM011
VTD: LEM012
VTD: LEM013
VTD: LEM014
VTD: LEM015
VTD: LEM016
VTD: LEM017
VTD: LEM018
VTD: LEM019
VTD: LEM020
VTD: LEM021
VTD: LEM022
VTD: LEM023
VTD: LEM024
VTD: LEM025
VTD: LEM026
VTD: LEM027
VTD: LEM028
VTD: LEM029
VTD: LEM030
VTD: LEM031
VTD: LEM032
VTD: LEM033
VTD: LEM034
VTD: LEM035
VTD: LEM036
VTD: LEM037
VTD: LEM038
VTD: LEM039
VTD: LEM040
VTD: LEM041
VTD: LEM042
VTD: LEM043
VTD: LEM044
VTD: LEM045
VTD: LEM046
VTD: LEM200
VTD: LEM201
VTD: LEM202
VTD: LEM203
VTD: LEM204
VTD: LEM205
VTD: LEM206
VTD: LEM207
VTD: OAK001
VTD: OAK002
VTD: OAK003
VTD: OAK004
VTD: OAK005
VTD: OAK006
VTD: OAK007
VTD: OAK008

VTD: OAK009
VTD: OAK010
VTD: OAK011
VTD: OAK012
VTD: OAK013
VTD: OAK014
VTD: OAK015
VTD: OAK016
VTD: OAK017
VTD: OAK018
VTD: OAK019
VTD: OAK020
VTD: OAK021
VTD: OAK022
VTD: OAK023
VTD: OAK024
VTD: OAK025
VTD: OAK026
VTD: OAK027
VTD: OAK028
VTD: OAK029
VTD: OAK030
VTD: OAK031
VTD: OAK032
VTD: OAK033
VTD: OAK034
VTD: OAK035
VTD: OAK036
VTD: OAK037
VTD: TSF002
VTD: TSF005
VTD: TSF007
VTD: TSF008
VTD: TSF010
VTD: TSF015
VTD: TSF016
VTD: TSF017
VTD: TSF019 (part)
Block: 291892213013022
Block: 291892213013025
Block: 291892213014005
Block: 291892213014006
Block: 291892213014007
Block: 291892213014008
Block: 291892213014009
Block: 291892213014010
Block: 291892213014011
Block: 291892213014012
VTD: TSF022
VTD: TSF023
VTD: TSF024
VTD: TSF026
VTD: TSF027
VTD: TSF028
VTD: TSF029
VTD: TSF030

VTD: TSF031
VTD: TSF032
Ste. Genevieve MO County
Washington MO County"; and

Further amend said bill, Pages 73 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following;

"Audrain MO County
Bates MO County
Benton MO County
Boone MO County
Callaway MO County
Camden MO County
Cass MO County
Cole MO County
Cooper MO County
Gasconade MO County
Henry MO County
Hickory MO County (part)
VTD: Carson's Corner (part)
Block: 290854701001081
Block: 290854701001082
Block: 290854701001115
Block: 290854701001116
Block: 290854701001117
Block: 290854701003120
Block: 290854701003121
Block: 290854703001002
Block: 290854703001003
Block: 290854703001004
Block: 290854703001005
Block: 290854703001013
Block: 290854703001014
Block: 290854703001207
Block: 290854703001210
Block: 290854703002000
VTD: Cross Timbers-Jordan
VTD: Hermitage (part)
Block: 290854701001080
Block: 290854701001136
Block: 290854701001137
Block: 290854701001145
Block: 290854701002000
Block: 290854701002022
Block: 290854701002023
Block: 290854703001006
Block: 290854703001007
Block: 290854703001008
Block: 290854703001009
Block: 290854703001010
Block: 290854703001011
Block: 290854703001012
Block: 290854703001017
Block: 290854703001018
Block: 290854703001019

Block: 290854703001020
Block: 290854703001021
Block: 290854703001022
Block: 290854703001023
Block: 290854703001024
Block: 290854703001026
Block: 290854703001037
Block: 290854703001038
Block: 290854703001039
Block: 290854703001040
Block: 290854703001041
Block: 290854703001042
Block: 290854703001043
Block: 290854703001044
Block: 290854703001045
Block: 290854703001046
Block: 290854703001047
Block: 290854703001048
Block: 290854703001049
Block: 290854703001050
Block: 290854703001051
Block: 290854703001052
Block: 290854703001053
Block: 290854703001054
Block: 290854703001055
Block: 290854703001056
Block: 290854703001057
Block: 290854703001058
Block: 290854703001059
Block: 290854703001060
Block: 290854703001061
Block: 290854703001062
Block: 290854703001212
Block: 290854703001218
Block: 290854703002005
Block: 290854703002008
Block: 290854703002010
Block: 290854703002130
Block: 290854703002131
Block: 290854703002132
Block: 290854703002133
Block: 290854703002134
Block: 290854703002135
Block: 290854703002136
VTD: Preston
VTD: Quincy
VTD: Wheatland
Howard MO County
Johnson MO County
Maries MO County
Miller MO County
Moniteau MO County
Montgomery MO County (part)
VTD: Big Spring/Americus
VTD: Mineola
VTD: New Florence/Danville (part)

Block: 291399702001078
Block: 291399702001079
Block: 291399702001181
Block: 291399702001182
Block: 291399702001183
Block: 291399702001185
Block: 291399702001201
Block: 291399702001203
Block: 291399702001204
Block: 291399703001000
Block: 291399703001001
Block: 291399703001002
Block: 291399703001003
Block: 291399703001004
Block: 291399703001005
Block: 291399703001006
Block: 291399703001007
Block: 291399703001008
Block: 291399703001009
Block: 291399703001010
Block: 291399703001011
Block: 291399703001012
Block: 291399703001013
Block: 291399703001014
Block: 291399703001015
Block: 291399703001016
Block: 291399703001017
Block: 291399703001018
Block: 291399703001019
Block: 291399703001020
Block: 291399703001021
Block: 291399703001022
Block: 291399703001050
Block: 291399703001051
Block: 291399703001052
Block: 291399703001053
Block: 291399703001054
Block: 291399703001055
Block: 291399703001056
Block: 291399703001057
Block: 291399703001069
Block: 291399703001070
Block: 291399703001071
Block: 291399703001073
Block: 291399703001074
Block: 291399703001075
Block: 291399703001076
Block: 291399703001086
Block: 291399703001088
Block: 291399703001089
Block: 291399703001090
Block: 291399703001091
Block: 291399703001092
Block: 291399703001093
Block: 291399703001094
Block: 291399703001095

Block: 291399703001096
Block: 291399703001097
Block: 291399703001098
Block: 291399703001099
Block: 291399703001100
Block: 291399703001101
Block: 291399703001102
Block: 291399703001103
Block: 291399703001104
Block: 291399703001105
Block: 291399703001106
Block: 291399703001107
Block: 291399703001108
Block: 291399703001109
Block: 291399703001110
Block: 291399703001111
Block: 291399703001112
Block: 291399703001116
Block: 291399703001117
Block: 291399703001118
Block: 291399703001119
Block: 291399703001120
Block: 291399703001121
Block: 291399703001122
Block: 291399703001123
Block: 291399703001124
Block: 291399703001125
Block: 291399703001126
Block: 291399703001127
Block: 291399703001128
Block: 291399703001129
Block: 291399703001130
Block: 291399703001131
Block: 291399703001133
Block: 291399703001134
Block: 291399703001135
Block: 291399703001136
Block: 291399703001141
Block: 291399703001145
Block: 291399703001146
Block: 291399703001149
Block: 291399703001150
Block: 291399703001151
Block: 291399703001152
Block: 291399703001153
Block: 291399703001154
Block: 291399703001156
Block: 291399703001244
Block: 291399703001250
Block: 291399703001251
Block: 291399703001252
Block: 291399703001253
Block: 291399703001259
Block: 291399703001260
Block: 291399703001278
Block: 291399703001279

Block: 291399703001280
Block: 291399703001281
Block: 291399703001282
Block: 291399703001283
Block: 291399703001284
Block: 291399703001286
Block: 291399703001287
Block: 291399703001288
Block: 291399703001289
Block: 291399703001290
Block: 291399703001291
Block: 291399703001292
Block: 291399703001293
Block: 291399703001294
Block: 291399703001295
Block: 291399703001297
Block: 291399703001300
Block: 291399703001301
Block: 291399703002005
Block: 291399703002006
Block: 291399703002007
Block: 291399703002008
Block: 291399703002022
Block: 291399703002023
Block: 291399703002034
Block: 291399703002037
Block: 291399703002095
Block: 291399703002096
Block: 291399703002097
Block: 291399703002099
Block: 291399703002100
Block: 291399703002101
Block: 291399703002102
Block: 291399703002105
Block: 291399703002106
Block: 291399703002107
Block: 291399703002108
Block: 291399703002180
Block: 291399703002181
Block: 291399703002183
Block: 291399703002184
VTD: Rhineland/McKittrick
Morgan MO County
Osage MO County
Pettis MO County
Randolph MO County (part)
VTD: Higbee (part)
Block: 291754906002109
Block: 291754906002147
Block: 291754906002179
Block: 291754906002180
Block: 291754906002181
Block: 291754906002182
Block: 291754906002183
Block: 291754906002184
Block: 291754906002185

Block: 291754906002186
Block: 291754906002187
Block: 291754906002188
Block: 291754906002189
Block: 291754906002190
Block: 291754906002191
Block: 291754906002192
Block: 291754906002193
Block: 291754906002207
Block: 291754906002208
Block: 291754906002209
Block: 291754906002210
Block: 291754906002212
Block: 291754906002213
Block: 291754906002214
Block: 291754906002220
Block: 291754906003011
Block: 291754906003041
Block: 291754906003042
Block: 291754906003043
Block: 291754906003044
Block: 291754906003045
Block: 291754906003046
Block: 291754906004174
Block: 291754906004178
Block: 291754906004179
Block: 291754906004180
Block: 291754906004181
Block: 291754906004182
VTD: Yates
St. Clair MO County"; and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following;

"Clay MO County
VTD: Chou 8 (part)
Block: 290470208012009
Block: 290470208012013
Block: 290470208012014
Block: 290470208012015
Block: 290470208012021
Block: 290470208012022
Block: 290470208012023
Block: 290470208012024
Block: 290470208012025
Block: 290470208012026
Block: 290470208012027
Block: 290470208012028
Block: 290470208012029
Block: 290470208012030
Block: 290470208013004
Block: 290470208013005
Block: 290470208013006
Block: 290470208013007
Block: 290470208013008

Block: 290470208013009
Block: 290470208013010
Block: 290470208013011
Block: 290470208013012
Block: 290470208013013
Block: 290470208013014
Block: 290470208013015
Block: 290470208013016
Block: 290470208013017
Block: 290470208013018
Block: 290470208013019
Block: 290470208013020
Block: 290470208013021
Block: 290470208013022
Block: 290470208013023
Block: 290470208013024
Block: 290470208013025
Block: 290470208013026
Block: 290470208013027
Block: 290470208013028
Block: 290470208013029
Block: 290470208013030
Block: 290470208013031
Block: 290470208013032
Block: 290470223021026
Block: 290470223021028
Block: 290470223021030
Block: 290470223021031
Block: 290470223021032
Block: 290470223021033
Block: 290470223021034
Block: 290470223021035
Block: 290470223021036
Block: 290470223021037
Block: 290470223021038
Block: 290470223021039
Block: 290470223021040
Block: 290470223021041
Block: 290470223021042
Block: 290470223021043
Block: 290470223021044
Block: 290470223021045
Block: 290470223021046
Block: 290470223021047
Block: 290470223021049
Block: 290470223021051
Block: 290470223021052
Block: 290470223021053
Block: 290470223021054
Block: 290470223021055
Block: 290470223021056
VTD: FR 1
VTD: FR 2
VTD: FR 3 (part)
Block: 290470217013045
Block: 290470217021000

Block: 290470217021001
Block: 290470217021002
Block: 290470217021003
Block: 290470217021004
Block: 290470217021005
Block: 290470217021006
Block: 290470217021007
Block: 290470217021008
Block: 290470217021009
Block: 290470217021010
Block: 290470217021011
Block: 290470217021012
Block: 290470217021013
Block: 290470217021014
Block: 290470217021015
Block: 290470217021016
Block: 290470217021017
Block: 290470217021018
Block: 290470217021019
Block: 290470217021020
Block: 290470217021021
Block: 290470217021022
Block: 290470217021023
Block: 290470217021024
Block: 290470217021025
Block: 290470217021026
Block: 290470217021027
Block: 290470217021028
Block: 290470217021029
Block: 290470217021030
Block: 290470217021031
Block: 290470217021032
Block: 290470217021033
Block: 290470217021034
Block: 290470217021037
Block: 290470217021038
Block: 290470217021039
Block: 290470217023005
Block: 290470217023008
Block: 290470217023009
Block: 290470217023019
Block: 290470217023022
Block: 290470217023024
Block: 290470217023029
Block: 290470217023030
Block: 290470217023031
Block: 290470217023032
Block: 290470217023033
Block: 290470217023034
Block: 290470217023035
Block: 290470217023036
Block: 290470217024035
Block: 290470217024036
Block: 290470217025000
Block: 290470217025001
Block: 290470217025002

Block: 290470217025003
Block: 290470217025004
Block: 290470217025005
Block: 290470217025006
Block: 290470217025007
Block: 290470217025008
Block: 290470217025009
Block: 290470217025010
Block: 290470217025011
Block: 290470217025012
Block: 290470217025013
Block: 290470217025014
Block: 290470217025015
Block: 290470217025016
Block: 290470217025017
Block: 290470217025018
Block: 290470217025019
Block: 290470217025020
Block: 290470217025021
Block: 290470217025022
Block: 290470217025023
Block: 290470217025024
Block: 290470217025025
Block: 290470217025026
Block: 290470217025034
Block: 290470217025040
VTD: FR 5 (part)
Block: 290470217012044
Block: 290470217012045
Block: 290470217013022
Block: 290470217013025
Block: 290470217013026
Block: 290470218054036
VTD: Gal 1
VTD: Gal 10
VTD: Gal 11
VTD: Gal 12
VTD: Gal 13
VTD: Gal 14
VTD: Gal 15
VTD: Gal 16
VTD: Gal 18
VTD: Gal 2
VTD: Gal 3
VTD: Gal 4
VTD: Gal 5
VTD: Gal 6
VTD: Gal 7
VTD: Gal 9
VTD: KC 21-10
VTD: KC 21-11
VTD: KC 21-12 (part)
Block: 290470212053030
Block: 290470212062000
Block: 290470212062001
Block: 290470212062002

Block: 290470212062003
Block: 290470212062004
Block: 290470212062005
Block: 290470212062006
Block: 290470212062007
Block: 290470212062008
Block: 290470212062009
Block: 290470212062010
Block: 290470212062011
Block: 290470212062012
Block: 290470212062013
Block: 290470212062014
Block: 290470212062015
Block: 290470212062016
Block: 290470212062017
Block: 290470212062018
Block: 290470212062019
Block: 290470212062020
Block: 290470212062021
Block: 290470212062022
Block: 290470212062023
Block: 290470212062024
Block: 290470212062025
Block: 290470212062026
Block: 290470212062027
Block: 290470212062028
Block: 290470212062029
Block: 290470212062030
Block: 290470212062031
Block: 290470212062032
Block: 290470212062033
Block: 290470212062034
Block: 290470212062035
Block: 290470212062036
Block: 290470212062037
Block: 290470212062038
Block: 290470212062039
Block: 290470212062040
Block: 290470212062041
Block: 290470212062042
Block: 290470212062043
Block: 290470212062044
Block: 290470212062045
Block: 290470212063001
Block: 290470212063002
Block: 290470212063003
Block: 290470212063004
Block: 290470212063005
Block: 290470212063006
Block: 290470212063007
Block: 290470212063008
Block: 290470212063009
Block: 290470212063012
Block: 290470212063013
Block: 290470212063014
Block: 290470212063015

Block: 290470212063016
Block: 290470212063017
Block: 290470212063018
Block: 290470212063019
Block: 290470212063020
Block: 290470212063021
Block: 290470212063024
Block: 290470212063025
Block: 290470212063026
Block: 290470212063027
VTD: KC 21-14
VTD: KC 21-16 (part)
Block: 290470212051000
Block: 290470212051001
Block: 290470212051002
Block: 290470212051003
Block: 290470212051004
Block: 290470212051005
Block: 290470212051006
Block: 290470212051007
Block: 290470212051008
Block: 290470212051009
Block: 290470212051010
Block: 290470212051011
Block: 290470212051012
Block: 290470212051013
Block: 290470212051014
Block: 290470212051015
Block: 290470212051016
Block: 290470212051017
Block: 290470212051018
Block: 290470212051019
Block: 290470212051020
Block: 290470212051021
Block: 290470212051022
Block: 290470212051023
Block: 290470212051024
Block: 290470212051025
Block: 290470212051026
Block: 290470212051027
Block: 290470212051028
Block: 290470212051029
Block: 290470212051030
Block: 290470212051032
Block: 290470212052011
Block: 290470212052021
Block: 290470212052022
Block: 290470212052023
Block: 290470212052024
Block: 290470212052026
Block: 290470212052027
Block: 290470212052028
Block: 290470212052029
Block: 290470212052030
Block: 290470212052034
Block: 290470212071014

Block: 290470212071015
Block: 290470212071016
Block: 290470212071017
Block: 290470212071018
Block: 290470212071019
Block: 290470212071020
Block: 290470212071021
Block: 290470212071022
Block: 290470212071023
Block: 290470212071024
Block: 290470212071025
Block: 290470212071026
Block: 290470212071027
Block: 290470212071029
Block: 290470212071030
Block: 290470212071031
Block: 290470212071032
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Block: 290470212071034
Block: 290470212071035
Block: 290470212071036
Block: 290470212071037
Block: 290470212071038
Block: 290470212071039
Block: 290470212071040
Block: 290470212071041
Block: 290470212071042
Block: 290470212071043
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Block: 290470212071046
Block: 290470212071047
Block: 290470212071048
Block: 290470212071049
Block: 290470212071050
Block: 290470212071051
Block: 290470212071053
Block: 290470212071054
Block: 290470212071055
Block: 290470212072030
VTD: KC 21-18
VTD: KC 21-19
VTD: KC 21-20
VTD: KC 21-21
VTD: KC 21-22
VTD: KC 21-23
VTD: KC 21-24
VTD: KC 21-25
VTD: KC 21-3
VTD: KC 21-4
VTD: KC 21-5
VTD: KC 21-6
VTD: KC 21-7
VTD: KC 21-8
VTD: KC 21-9
VTD: Lib 13 (part)

Block: 290470222002030
Block: 290470222002036
Block: 290470223021006
Block: 290470223021017
Block: 290470223021018
Block: 290470223021024
Block: 290470223021025
Block: 290470223021048
Block: 290470223021050
VTD: Lib 3 (part)
Block: 290470223021000
Block: 290470223021002
Block: 290470223021003
Block: 290470223021004
Block: 290470223021009
Block: 290470223021014
VTD: Lib 5 (part)
Block: 290470208012016
Block: 290470223021005
Block: 290470223021007
Block: 290470223021010
Block: 290470223021011
Block: 290470223021015
Block: 290470223021022
Block: 290470223021023
Block: 290470223021027
Block: 290470223021061
Block: 290470223021062
Block: 290470223021063
VTD: Wash 1
VTD: Wash 2
Jackson MO County (part)
VTD: Blue Sub 1 No. 1
VTD: Blue Sub 1 No. 10
VTD: Blue Sub 1 No. 11 & 11A
VTD: Blue Sub 1 No. 12
VTD: Blue Sub 1 No. 13
VTD: Blue Sub 1 No. 14
VTD: Blue Sub 1 No. 18
VTD: Blue Sub 1 No. 2
VTD: Blue Sub 1 No. 4 & 4A
VTD: Blue Sub 1 No. 5
VTD: Blue Sub 1 No. 6 & 6B
VTD: Blue Sub 1 No. 6A
VTD: Blue Sub 1 No. 7
VTD: Blue Sub 1 No. 8,15,& 16
VTD: Blue Sub 1 No. 9
VTD: Blue Sub 2 No. 1
VTD: Blue Sub 2 No. 10
VTD: Blue Sub 2 No. 2
VTD: Blue Sub 2 No. 3
VTD: Blue Sub 2 No. 3A
VTD: Blue Sub 2 No. 4
VTD: Blue Sub 2 No. 5
VTD: Blue Sub 2 No. 6
VTD: Blue Sub 2 No. 7

VTD: Blue Sub 2 No. 8
VTD: Blue Sub 2 No. 9
VTD: Blue Sub 3 No. 1
VTD: Blue Sub 3 No. 11 (part)
Block: 290950147021001
Block: 290950147021003
Block: 290950148041013
Block: 290950148041023
VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N
VTD: Blue Sub 3 No. 15A
VTD: Blue Sub 3 No. 16 & 16A
VTD: Blue Sub 3 No. 2
VTD: Blue Sub 3 No. 3
VTD: Blue Sub 3 No. 4
VTD: Blue Sub 3 No. 5
VTD: Blue Sub 3 No. 5A
VTD: Blue Sub 3 No. 9
VTD: Blue Sub 4 No. 1
VTD: Blue Sub 4 No. 10
VTD: Blue Sub 4 No. 11
VTD: Blue Sub 4 No. 12
VTD: Blue Sub 4 No. 2
VTD: Blue Sub 4 No. 3
VTD: Blue Sub 4 No. 4
VTD: Blue Sub 4 No. 5
VTD: Blue Sub 4 No. 6
VTD: Blue Sub 4 No. 7
VTD: Blue Sub 4 No. 8
VTD: Blue Sub 4 No. 9
VTD: Blue Sub 5 No. 1
VTD: Blue Sub 5 No. 11
VTD: Blue Sub 5 No. 13
VTD: Blue Sub 5 No. 14
VTD: Blue Sub 5 No. 15
VTD: Blue Sub 5 No. 2
VTD: Blue Sub 5 No. 3
VTD: Blue Sub 5 No. 4
VTD: Blue Sub 5 No. 5 & 12
VTD: Blue Sub 5 No. 6
VTD: Blue Sub 5 No. 7
VTD: Blue Sub 5 No. 8
VTD: Blue Sub 5 No. 9
VTD: Blue Sub 6 No. 1
VTD: Blue Sub 6 No. 10
VTD: Blue Sub 6 No. 11
VTD: Blue Sub 6 No. 12
VTD: Blue Sub 6 No. 2
VTD: Blue Sub 6 No. 3
VTD: Blue Sub 6 No. 4
VTD: Blue Sub 6 No. 5
VTD: Blue Sub 6 No. 5A
VTD: Blue Sub 6 No. 6
VTD: Blue Sub 6 No. 6A
VTD: Blue Sub 6 No. 7 & 7N
VTD: Blue Sub 6 No. 8
VTD: Blue Sub 6 No. 8A

VTD: Blue Sub 6 No. 9
VTD: Blue Sub 7 No. 1
VTD: Blue Sub 7 No. 10
VTD: Blue Sub 7 No. 11
VTD: Blue Sub 7 No. 12
VTD: Blue Sub 7 No. 13
VTD: Blue Sub 7 No. 14
VTD: Blue Sub 7 No. 2
VTD: Blue Sub 7 No. 2A
VTD: Blue Sub 7 No. 3
VTD: Blue Sub 7 No. 4
VTD: Blue Sub 7 No. 5 & 5A
VTD: Blue Sub 7 No. 6
VTD: Blue Sub 7 No. 7
VTD: Blue Sub 7 No. 8
VTD: Blue Sub 7 No. 9
VTD: Blue Sub 8 No. 1
VTD: Blue Sub 8 No. 10 & 10A
VTD: Blue Sub 8 No. 11 (part)
Block: 290950145012022
Block: 290950145012027
Block: 290950145021000
Block: 290950145021001
Block: 290950145021002
Block: 290950145021005
Block: 290950145021008
Block: 290950145021009
Block: 290950145021012
Block: 290950145021013
Block: 290950145021015
Block: 290950145021016
Block: 290950145021017
Block: 290950145021018
Block: 290950145022035
Block: 290950145022036
Block: 290950145022037
Block: 290950145022038
Block: 290950145022039
Block: 290950145022040
Block: 290950145022041
Block: 290950145022071
VTD: Blue Sub 8 No. 12, 12A, & 12B (part)
Block: 290950145012000
Block: 290950145012001
Block: 290950145012002
Block: 290950145012003
Block: 290950145012004
Block: 290950145012005
Block: 290950145012006
Block: 290950145012007
Block: 290950145012008
Block: 290950145012009
Block: 290950145012010
Block: 290950145012011
Block: 290950145012012
Block: 290950145012013

Block: 290950145012014
Block: 290950145012015
Block: 290950145012018
Block: 290950145012019
Block: 290950145012020
Block: 290950145012021
Block: 290950145012034
Block: 290950145012035
Block: 290950145022028
Block: 290950145022029
Block: 290950145022030
Block: 290950145022031
Block: 290950145022032
Block: 290950145022033
Block: 290950145022034
Block: 290950146032029
Block: 290950146043026
Block: 290950146043027
VTD: Blue Sub 8 No. 13 & 13N
VTD: Blue Sub 8 No. 2
VTD: Blue Sub 8 No. 2A
VTD: Blue Sub 8 No. 3
VTD: Blue Sub 8 No. 5 & 5A
VTD: Blue Sub 8 No. 6
VTD: Blue Sub 8 No. 7
VTD: Blue Sub 8 No. 8
VTD: Blue Sub 8 No. 9
VTD: Blue Sub 8 No. 9A
VTD: Brooking No. 1
VTD: Brooking No. 10
VTD: Brooking No. 11
VTD: Brooking No. 12
VTD: Brooking No. 13
VTD: Brooking No. 14
VTD: Brooking No. 15
VTD: Brooking No. 16
VTD: Brooking No. 17
VTD: Brooking No. 18
VTD: Brooking No. 19
VTD: Brooking No. 2 & 2A
VTD: Brooking No. 20
VTD: Brooking No. 21
VTD: Brooking No. 22 & 22A
VTD: Brooking No. 23
VTD: Brooking No. 24
VTD: Brooking No. 25
VTD: Brooking No. 26
VTD: Brooking No. 27
VTD: Brooking No. 28
VTD: Brooking No. 3
VTD: Brooking No. 4
VTD: Brooking No. 5
VTD: Brooking No. 6
VTD: Brooking No. 7
VTD: Brooking No. 8
VTD: Brooking No. 9

VTD: Brooking No. 9A
VTD: Fort Osage No. 1,1A,2,& 3 (part)
Block: 290950177003027
Block: 290950177003028
Block: 290950177003063
Block: 290950177003064
Block: 290950177003071
Block: 290950177003078
VTD: KC WD1 PCT101
VTD: KC WD1 PCT102
VTD: KC WD1 PCT103
VTD: KC WD1 PCT104
VTD: KC WD1 PCT105
VTD: KC WD1 PCT106
VTD: KC WD1 PCT107
VTD: KC WD1 PCT108
VTD: KC WD1 PCT109
VTD: KC WD1 PCT110
VTD: KC WD1 PCT111
VTD: KC WD1 PCT511
VTD: KC WD10 PCT1001
VTD: KC WD10 PCT1002
VTD: KC WD10 PCT1003
VTD: KC WD10 PCT1004
VTD: KC WD10 PCT1005
VTD: KC WD10 PCT1006
VTD: KC WD10 PCT1008
VTD: KC WD10 PCT1009
VTD: KC WD10 PCT1010
VTD: KC WD10 PCT1011
VTD: KC WD10 PCT1012
VTD: KC WD10 PCT1013
VTD: KC WD10 PCT1014
VTD: KC WD10 PCT1015
VTD: KC WD10 PCT2201
VTD: KC WD11 PCT1101
VTD: KC WD11 PCT1102
VTD: KC WD11 PCT1103
VTD: KC WD11 PCT1104
VTD: KC WD11 PCT1105
VTD: KC WD11 PCT1106
VTD: KC WD11 PCT1107
VTD: KC WD11 PCT1108
VTD: KC WD11 PCT1109
VTD: KC WD11 PCT1110
VTD: KC WD11 PCT1209
VTD: KC WD12 PCT1201
VTD: KC WD12 PCT1202
VTD: KC WD12 PCT1203
VTD: KC WD12 PCT1204
VTD: KC WD12 PCT1205
VTD: KC WD12 PCT1206
VTD: KC WD12 PCT1207
VTD: KC WD12 PCT1208
VTD: KC WD12 PCT1210
VTD: KC WD12 PCT1305

VTD: KC WD12 PCT1306
 VTD: KC WD12 PCT1307
 VTD: KC WD12 PCT1308
 VTD: KC WD12 PCT1309
 VTD: KC WD12 PCT1310
 VTD: KC WD13 PCT1301
 VTD: KC WD13 PCT1302
 VTD: KC WD13 PCT1303
 VTD: KC WD13 PCT1304
 VTD: KC WD13 PCT1501
 VTD: KC WD13 PCT1502
 VTD: KC WD14 PCT1401
 VTD: KC WD14 PCT1402
 VTD: KC WD14 PCT1403
 VTD: KC WD14 PCT1404
 VTD: KC WD14 PCT1405
 VTD: KC WD14 PCT1406
 VTD: KC WD14 PCT1407
 VTD: KC WD14 PCT1408
 VTD: KC WD14 PCT1409
 VTD: KC WD14 PCT1410
 VTD: KC WD14 PCT1411
 VTD: KC WD14 PCT1412
 VTD: KC WD14 PCT1413
 VTD: KC WD15 PCT1414
 VTD: KC WD15 PCT1503
 VTD: KC WD15 PCT1504
 VTD: KC WD15 PCT1505
 VTD: KC WD15 PCT1506
 VTD: KC WD15 PCT1507
 VTD: KC WD15 PCT1508
 VTD: KC WD15 PCT1509
 VTD: KC WD15 PCT1512
 VTD: KC WD15 PCT1513
 VTD: KC WD15 PCT1514
 VTD: KC WD15 PCT311
 VTD: KC WD15 PCT314
 VTD: KC WD15 PCT718
 VTD: KC WD16 PCT1511
 VTD: KC WD16 PCT1601
 VTD: KC WD16 PCT1602
 VTD: KC WD16 PCT1603
 VTD: KC WD16 PCT1604
 VTD: KC WD16 PCT1605
 VTD: KC WD16 PCT1607
 VTD: KC WD16 PCT1608
 VTD: KC WD16 PCT1609
 VTD: KC WD16 PCT1610
 VTD: KC WD16 PCT1611
 VTD: KC WD16 PCT1612
 VTD: KC WD16 PCT1613
 VTD: KC WD16 PCT1614
 VTD: KC WD16 PCT1615
 VTD: KC WD16 PCT1616
 VTD: KC WD16 PCT717
 VTD: KC WD17 PCT1606

VTD: KC WD17 PCT1617
VTD: KC WD17 PCT1618
VTD: KC WD17 PCT1701
VTD: KC WD17 PCT1702
VTD: KC WD17 PCT1703
VTD: KC WD17 PCT1704
VTD: KC WD17 PCT1705
VTD: KC WD17 PCT1706
VTD: KC WD17 PCT1707
VTD: KC WD17 PCT1708
VTD: KC WD17 PCT1712
VTD: KC WD17 PCT1814
VTD: KC WD18 PCT1801
VTD: KC WD18 PCT1802
VTD: KC WD18 PCT1803
VTD: KC WD18 PCT1804
VTD: KC WD18 PCT1805
VTD: KC WD18 PCT1806
VTD: KC WD18 PCT1807
VTD: KC WD18 PCT1808
VTD: KC WD18 PCT1809
VTD: KC WD18 PCT1810
VTD: KC WD18 PCT1812
VTD: KC WD18 PCT1813
VTD: KC WD18 PCT1816
VTD: KC WD19 PCT1709
VTD: KC WD19 PCT1710
VTD: KC WD19 PCT1815
VTD: KC WD19 PCT1817
VTD: KC WD19 PCT1903
VTD: KC WD19 PCT1905
VTD: KC WD19 PCT1906
VTD: KC WD19 PCT1907
VTD: KC WD19 PCT1908
VTD: KC WD19 PCT1909
VTD: KC WD19 PCT1910
VTD: KC WD19 PCT1911
VTD: KC WD19 PCT1912
VTD: KC WD19 PCT1913
VTD: KC WD19 PCT1914
VTD: KC WD19 PCT1916
VTD: KC WD19 PCT1917
VTD: KC WD19 PCT1918
VTD: KC WD19 PCT1919
VTD: KC WD19 PCT903
VTD: KC WD19 PCT912
VTD: KC WD2 PCT201
VTD: KC WD2 PCT202
VTD: KC WD2 PCT203
VTD: KC WD2 PCT204
VTD: KC WD2 PCT205
VTD: KC WD2 PCT206
VTD: KC WD2 PCT207
VTD: KC WD2 PCT208
VTD: KC WD2 PCT209
VTD: KC WD2 PCT210

VTD: KC WD2 PCT211
VTD: KC WD2 PCT212
VTD: KC WD2 PCT213
VTD: KC WD2 PCT214
VTD: KC WD2 PCT215
VTD: KC WD2 PCT216
VTD: KC WD20 PCT1901
VTD: KC WD20 PCT2002
VTD: KC WD20 PCT2003
VTD: KC WD20 PCT2004
VTD: KC WD20 PCT2005
VTD: KC WD20 PCT2006
VTD: KC WD20 PCT2007
VTD: KC WD20 PCT2008
VTD: KC WD20 PCT2009
VTD: KC WD20 PCT2010
VTD: KC WD22 PCT1007
VTD: KC WD22 PCT2202
VTD: KC WD22 PCT2203
VTD: KC WD22 PCT2204
VTD: KC WD22 PCT2205
VTD: KC WD22 PCT2206
VTD: KC WD22 PCT2207
VTD: KC WD22 PCT2208
VTD: KC WD22 PCT2209
VTD: KC WD22 PCT2210
VTD: KC WD22 PCT2211
VTD: KC WD22 PCT2212
VTD: KC WD22 PCT2213
VTD: KC WD23 PCT2301
VTD: KC WD23 PCT2302
VTD: KC WD23 PCT2303
VTD: KC WD23 PCT2304
VTD: KC WD23 PCT2305
VTD: KC WD23 PCT2306
VTD: KC WD23 PCT2307
VTD: KC WD23 PCT2308
VTD: KC WD23 PCT2309
VTD: KC WD23 PCT2310
VTD: KC WD23 PCT2311
VTD: KC WD23 PCT2312
VTD: KC WD23 PCT2313
VTD: KC WD23 PCT2314
VTD: KC WD23 PCT2315
VTD: KC WD23 PCT2316
VTD: KC WD23 PCT2317
VTD: KC WD23 PCT2318
VTD: KC WD24 PCT2401
VTD: KC WD24 PCT2402
VTD: KC WD24 PCT2403
VTD: KC WD24 PCT2404
VTD: KC WD24 PCT2405
VTD: KC WD24 PCT2407 (part)
Block: 290950142032014
Block: 290950142042013
Block: 290950143002029

Block: 290950143002030
VTD: KC WD24 PCT2408 (part)
Block: 290950142042014
Block: 290950142042050
Block: 290950142043043
Block: 290950143003000
Block: 290950143003001
Block: 290950143003006
Block: 290950143003007
Block: 290950143003008
Block: 290950143003009
Block: 290950143003010
Block: 290950143003011
Block: 290950143003012
Block: 290950143003013
Block: 290950143003015
Block: 290950143003016
Block: 290950143003017
Block: 290950143003018
Block: 290950143003019
Block: 290950143003020
Block: 290950143003021
Block: 290950143003035
Block: 290950143003036
Block: 290950143003037
Block: 290950143003038
Block: 290950143003039
Block: 290950143003040
Block: 290950143003054
Block: 290950143003055
Block: 290950176004028
VTD: KC WD24 PCT2409
VTD: KC WD24 PCT2410
VTD: KC WD24 PCT2412
VTD: KC WD24 PCT2413
VTD: KC WD24 PCT2414
VTD: KC WD24 PCT2415
VTD: KC WD24 PCT2416
VTD: KC WD24 PCT2417
VTD: KC WD24 PCT2418
VTD: KC WD24 PCT2419
VTD: KC WD24 PCT2420
VTD: KC WD24 PCT2421
VTD: KC WD24 PCT2422
VTD: KC WD24 PCT2424
VTD: KC WD24 PCT2425
VTD: KC WD24 PCT2426
VTD: KC WD24 PCT2427
VTD: KC WD24 PCT2428
VTD: KC WD24 PCT2429
VTD: KC WD24 PCT2430
VTD: KC WD24 PCT2431
VTD: KC WD24 PCT2432
VTD: KC WD24 PCT2601
VTD: KC WD25 PCT2001
VTD: KC WD25 PCT2501

VTD: KC WD25 PCT2503
VTD: KC WD25 PCT2504
VTD: KC WD25 PCT2505
VTD: KC WD25 PCT2506
VTD: KC WD25 PCT2507
VTD: KC WD25 PCT2508
VTD: KC WD25 PCT2509
VTD: KC WD25 PCT2510
VTD: KC WD25 PCT2511
VTD: KC WD25 PCT2602
VTD: KC WD26 PCT1711
VTD: KC WD26 PCT1902
VTD: KC WD26 PCT2502
VTD: KC WD26 PCT2603
VTD: KC WD26 PCT2604
VTD: KC WD26 PCT2605
VTD: KC WD26 PCT2606
VTD: KC WD26 PCT2607
VTD: KC WD26 PCT2608
VTD: KC WD26 PCT2609
VTD: KC WD26 PCT2610
VTD: KC WD26 PCT2611
VTD: KC WD26 PCT2612
VTD: KC WD3 PCT301
VTD: KC WD3 PCT302
VTD: KC WD3 PCT303
VTD: KC WD3 PCT304
VTD: KC WD3 PCT305
VTD: KC WD3 PCT306
VTD: KC WD3 PCT307
VTD: KC WD3 PCT308
VTD: KC WD3 PCT309
VTD: KC WD3 PCT310
VTD: KC WD3 PCT312
VTD: KC WD3 PCT313
VTD: KC WD3 PCT716
VTD: KC WD4 PCT401
VTD: KC WD4 PCT402
VTD: KC WD4 PCT403
VTD: KC WD4 PCT404
VTD: KC WD4 PCT405
VTD: KC WD4 PCT406
VTD: KC WD4 PCT407
VTD: KC WD4 PCT408
VTD: KC WD4 PCT409
VTD: KC WD5 PCT410
VTD: KC WD5 PCT502
VTD: KC WD5 PCT503
VTD: KC WD5 PCT504
VTD: KC WD5 PCT505
VTD: KC WD5 PCT506
VTD: KC WD5 PCT507
VTD: KC WD5 PCT508
VTD: KC WD5 PCT509
VTD: KC WD5 PCT510
VTD: KC WD6 PCT501

VTD: KC WD6 PCT601
VTD: KC WD6 PCT602
VTD: KC WD6 PCT603
VTD: KC WD6 PCT604
VTD: KC WD6 PCT605
VTD: KC WD6 PCT606
VTD: KC WD6 PCT607
VTD: KC WD6 PCT608
VTD: KC WD6 PCT609
VTD: KC WD6 PCT610
VTD: KC WD6 PCT611
VTD: KC WD6 PCT612
VTD: KC WD6 PCT801
VTD: KC WD7 PCT701
VTD: KC WD7 PCT702
VTD: KC WD7 PCT703
VTD: KC WD7 PCT704
VTD: KC WD7 PCT705
VTD: KC WD7 PCT706
VTD: KC WD7 PCT707
VTD: KC WD7 PCT708
VTD: KC WD7 PCT709
VTD: KC WD7 PCT710
VTD: KC WD7 PCT711
VTD: KC WD7 PCT712
VTD: KC WD7 PCT713
VTD: KC WD7 PCT714
VTD: KC WD7 PCT715
VTD: KC WD7 PCT719
VTD: KC WD8 PCT613
VTD: KC WD8 PCT802
VTD: KC WD8 PCT803
VTD: KC WD8 PCT804
VTD: KC WD8 PCT805
VTD: KC WD8 PCT806
VTD: KC WD8 PCT807
VTD: KC WD8 PCT808
VTD: KC WD8 PCT809
VTD: KC WD8 PCT810
VTD: KC WD8 PCT811
VTD: KC WD8 PCT813
VTD: KC WD9 PCT1904
VTD: KC WD9 PCT812
VTD: KC WD9 PCT901
VTD: KC WD9 PCT902
VTD: KC WD9 PCT904
VTD: KC WD9 PCT905
VTD: KC WD9 PCT906
VTD: KC WD9 PCT907
VTD: KC WD9 PCT908
VTD: KC WD9 PCT909
VTD: KC WD9 PCT910
VTD: KC WD9 PCT911
VTD: Prairie No. 1
VTD: Prairie No. 10,11,& 12
VTD: Prairie No. 13

VTD: Prairie No. 13A
VTD: Prairie No. 14
VTD: Prairie No. 15
VTD: Prairie No. 16
VTD: Prairie No. 17
VTD: Prairie No. 18 & 19
VTD: Prairie No. 2
VTD: Prairie No. 20
VTD: Prairie No. 20A & 20B
VTD: Prairie No. 20C
VTD: Prairie No. 21
VTD: Prairie No. 22
VTD: Prairie No. 23
VTD: Prairie No. 24,24B,25A,68
VTD: Prairie No. 24A
VTD: Prairie No. 24C
VTD: Prairie No. 25
VTD: Prairie No. 3
VTD: Prairie No. 37
VTD: Prairie No. 37A
VTD: Prairie No. 38
VTD: Prairie No. 39
VTD: Prairie No. 39A
VTD: Prairie No. 40
VTD: Prairie No. 40A & 44A (part)
Block: 290950179003002
VTD: Prairie No. 43 & 79 (part)
Block: 290950142043051
Block: 290950142043052
Block: 290950142043054
Block: 290950142043056
Block: 290950143003028
Block: 290950179003004
VTD: Prairie No. 45 (part)
Block: 290950137031000
Block: 290950137031001
Block: 290950137031002
Block: 290950137031003
Block: 290950137031004
Block: 290950137031005
Block: 290950137031006
Block: 290950137031007
Block: 290950137031008
Block: 290950137031009
Block: 290950137031010
Block: 290950137032013
Block: 290950137032017
Block: 290950137032018
Block: 290950137033006
Block: 290950137033007
Block: 290950137033012
Block: 290950137033013
Block: 290950137033014
Block: 290950137033015
Block: 290950137033016
Block: 290950137033030

Block: 290950137033031

Block: 290950137033032

Block: 290950137033033

Block: 290950137033034

Block: 290950137033035

Block: 290950137033036

Block: 290950137033037

Block: 290950137033038

Block: 290950137033047

Block: 290950137033048

Block: 290950137033051

VTD: Prairie No. 50A (part)

Block: 290950139013031

Block: 290950139013032

Block: 290950139013033

Block: 290950139013034

Block: 290950139013035

Block: 290950139013036

Block: 290950139013037

VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)

Block: 290950139011066

Block: 290950139011067

Block: 290950139012058

Block: 290950139012066

Block: 290950139012068

Block: 290950139012069

Block: 290950139012072

Block: 290950139012073

Block: 290950139012074

Block: 290950139012075

Block: 290950139012076

Block: 290950139012149

Block: 290950139012150

Block: 290950139012151

Block: 290950139012152

Block: 290950139013055

VTD: Prairie No. 51

VTD: Prairie No. 51A

VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N

VTD: Prairie No. 52

VTD: Prairie No. 52A

VTD: Prairie No. 53

VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)

Block: 290950139011031

Block: 290950139011032

Block: 290950139011033

Block: 290950139011034

Block: 290950139011035

Block: 290950139011036

Block: 290950139011042

Block: 290950141121045

Block: 290950141121059

VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)

Block: 290950139011044

Block: 290950139011045

Block: 290950139011065

VTD: Prairie No. 8 & 8B

VTD: Prairie No. 8A

VTD: Prairie No. 9

VTD: Sni-A-Bar No. 1,1B,& 1C (part)

Block: 290950145022002

Block: 290950145022010

Block: 290950145022011

Block: 290950145022020

Block: 290950145022044

VTD: Sni-A-Bar No. 10 (part)

Block: 290950141011005

VTD: Sni-A-Bar No. 14,75N,& 75X (part)

Block: 290950141011003

Block: 290950141011004

Block: 290950141011006

Block: 290950141011007

Block: 290950141011008

Block: 290950141011009

Block: 290950141011010

Block: 290950141011011

Block: 290950141011012

Block: 290950141011013

Block: 290950141011014

Block: 290950141011030

Block: 290950141011032

Block: 290950141011033

Block: 290950141011034

Block: 290950141011035

VTD: Sni-A-Bar No. 14A & 75A (part)

Block: 290950141011019

Block: 290950141011027

Block: 290950141011028

Block: 290950141011029

Block: 290950141011059

Block: 290950141013000

Block: 290950141013001

Block: 290950141013002

Block: 290950141013003

Block: 290950141013009

Block: 290950141013010

Block: 290950141013013

Block: 290950141013014

Block: 290950141013015

Block: 290950141055012

Block: 290950141055013

VTD: Sni-A-Bar No. 15 & 15A

VTD: Sni-A-Bar No. 15B

VTD: Sni-A-Bar No. 16,83,& 93

VTD: Sni-A-Bar No. 22 (part)

Block: 290950141012002

Block: 290950141012003

Block: 290950141012007

Block: 290950141012008

Block: 290950141012009

Block: 290950141012010

Block: 290950141012011

Block: 290950141012012
Block: 290950141012013
Block: 290950141012014
Block: 290950141012015
Block: 290950141012016
Block: 290950141014000
Block: 290950141014001
Block: 290950141014002
Block: 290950141014004
Block: 290950141014005
Block: 290950141014006
Block: 290950141014009
Block: 290950141014010
Block: 290950141014024
Block: 290950141014025
VTD: Sni-A-Bar No. 23 (part)
Block: 290950141014035
Block: 290950141014036
Block: 290950141014037
Block: 290950141014040
Block: 290950141014041
Block: 290950141014042
Block: 290950141014043
Block: 290950141014044
Block: 290950141014045
Block: 290950141014046
Block: 290950141014050
VTD: Sni-A-Bar No. 23A
VTD: Sni-A-Bar No. 24 (part)
Block: 290950141014007
Block: 290950141014008
Block: 290950141014011
Block: 290950141014012
Block: 290950141014017
Block: 290950141014018
Block: 290950141014019
Block: 290950141014020
Block: 290950141014021
Block: 290950141014022
Block: 290950141014023
Block: 290950141014026
Block: 290950141014027
Block: 290950141014028
Block: 290950141014029
Block: 290950141014030
Block: 290950141014031
Block: 290950141014032
Block: 290950141014033
Block: 290950141014038
Block: 290950141014039
VTD: Sni-A-Bar No. 27 (part)
Block: 290950141014048
Block: 290950141014049
Block: 290950141144000
Block: 290950141144001
Block: 290950141144002

Block: 290950141144006

Block: 290950141144009

Block: 290950141144015

Block: 290950141144016

Block: 290950141144017

Block: 290950141144018

Block: 290950141144019

Block: 290950141144020

Block: 290950141144021

Block: 290950141144022

VTD: Sni-A-Bar No. 31

VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)

Block: 290950141051011

Block: 290950141051012

Block: 290950141051013

Block: 290950141051022

Block: 290950141053001

Block: 290950141053002

Block: 290950141054000

Block: 290950141054001

Block: 290950141054003

Block: 290950141054004

Block: 290950141054005

Block: 290950141054013

Block: 290950141054014

Block: 290950141054015

Block: 290950141054016

Block: 290950141054017

Block: 290950141055018

Block: 290950141055030

Block: 290950141055035

Block: 290950141055036

Block: 290950141055037

Block: 290950141055038

Block: 290950141055039

Block: 290950141055040

Block: 290950141055042

Block: 290950141055046

Block: 290950141055057

Block: 290950141055058

Block: 290950141055059

VTD: Sni-A-Bar No. 31B

VTD: Sni-A-Bar No. 40 & 40B

VTD: Sni-A-Bar No. 40A & 41

VTD: Sni-A-Bar No. 40D & 40E

VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)

Block: 290950140021003

Block: 290950140021010

Block: 290950140021022

Block: 290950140021023

Block: 290950140071048

Block: 290950140071049

Block: 290950140071050

Block: 290950140071051

Block: 290950140071052

Block: 290950140071053

Block: 290950140071058

Block: 290950140071059

Block: 290950140071060

Block: 290950140071061

Block: 290950140071062

Block: 290950140071063

Block: 290950140071064

Block: 290950140071066

Block: 290950140071067

Block: 290950140071068

Block: 290950140071069

Block: 290950140071070

Block: 290950140071082

Block: 290950140071083

Block: 290950140071085

Block: 290950140071086

Block: 290950140071088

Block: 290950140071093

Block: 290950140071094

Block: 290950140071095

Block: 290950141011017

Block: 290950141011018

Block: 290950141011021

VTD: Sni-A-Bar No. 50 & 91 (part)

Block: 290950140042006

Block: 290950140042007

Block: 290950140042008

Block: 290950140042009

Block: 290950140042010

Block: 290950140042011

Block: 290950140042012

Block: 290950140042013

Block: 290950140042014

Block: 290950140042024

Block: 290950140042025

Block: 290950140042026

Block: 290950140042027

Block: 290950140042028

Block: 290950140042029

Block: 290950140042030

Block: 290950140042031

Block: 290950140042032

Block: 290950140042033

Block: 290950140042034

Block: 290950140042038

Block: 290950140042039

Block: 290950140042040

Block: 290950140042041

Block: 290950140042044

Block: 290950140051001

Block: 290950140051002

Block: 290950140051003

Block: 290950140051004

Block: 290950140051006

Block: 290950140051007

Block: 290950140051008

Block: 290950140051009
Block: 290950140051010
Block: 290950140051018
Block: 290950140051019
Block: 290950140051022
VTD: Sni-A-Bar No. 51,51A,& 94A
VTD: Sni-A-Bar No. 53 & 92 (part)
Block: 290950140041024
Block: 290950140041025
Block: 290950140041026
Block: 290950140041027
Block: 290950140041028
Block: 290950140041029
Block: 290950140041030
Block: 290950140041031
Block: 290950140041033
Block: 290950140041034
Block: 290950140041035
Block: 290950140041036
Block: 290950140041037
Block: 290950140041038
Block: 290950140041039
Block: 290950140042035
Block: 290950140042036
Block: 290950140042037
Block: 290950140042042
Block: 290950140042043
Block: 290950140051000
Block: 290950140052000
Block: 290950140052004
VTD: Sni-A-Bar No. 55
VTD: Sni-A-Bar No. 57
VTD: Sni-A-Bar No. 76 & 76A
VTD: Sni-A-Bar No. 77
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)
Block: 290950141055014
Block: 290950141055028
Block: 290950141055029
Block: 290950141055041
Block: 290950141055043
Block: 290950141055044
Block: 290950141055045
Block: 290950141055047
Block: 290950141055048
Block: 290950141055049
Block: 290950141055053
Block: 290950141055054
Block: 290950141055055
Block: 290950141055056
Block: 290950141055066
Block: 290950141055067
Block: 290950141111000
Block: 290950141111001
Block: 290950141111002
Block: 290950141111009
Block: 290950141121004

Block: 290950141121005

Block: 290950141121010

VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C

VTD: Sni-A-Bar No. 94,94B,95,& 96

VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)

Block: 290950139011003

Block: 290950139011004

Block: 290950139011005

Block: 290950139011006

Block: 290950139011007

Block: 290950139011012

Block: 290950139011022

Block: 290950139011023

Block: 290950140022047

Block: 290950140022048

Block: 290950140022049

Block: 290950140022050

Block: 290950140022051

Block: 290950140022052

Block: 290950140022053

Block: 290950140022054

Block: 290950140022055

Block: 290950140022056

Block: 290950140022057

Block: 290950140022058

Block: 290950140022059

Block: 290950140022060

Block: 290950140022061

Block: 290950140022062

Block: 290950140022063

Block: 290950140022064

Block: 290950140022065

Block: 290950141121011

Block: 290950141121013

Block: 290950141121031

Block: 290950141121032

Block: 290950141121033

Block: 290950141121036

Block: 290950141121040

Block: 290950141121041

Block: 290950141121049

Block: 290950141121051

VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24

VTD: Van Buren No. 25,26,27,28,29,30,& 32

VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)

Block: 290950139011001

Block: 290950139011009

Block: 290950139011010

Block: 290950139011011

Block: 290950139011013

Block: 290950139011014

Block: 290950139011015

Block: 290950139011016

Block: 290950139011017

Block: 290950139011018

Block: 290950139011019

Block: 290950139011020

Block: 290950139011021

Block: 290950139011024

Block: 290950139011025

Block: 290950139011026

Block: 290950139011027

Block: 290950139011028

Block: 290950139011029

Block: 290950139011030

Block: 290950139011037

Block: 290950139011038

Block: 290950139011039

Block: 290950139011040

Block: 290950139011041

Block: 290950139011043

Block: 290950139011046

Block: 290950139011047

Block: 290950139011048

Block: 290950139011049

Block: 290950139011050

Block: 290950139011052

Block: 290950139011053

Block: 290950139011054

Block: 290950139011055

Block: 290950139011056

Block: 290950139011058

Block: 290950139011059

Block: 290950139011060

Block: 290950139011069

Block: 290950139011070

Block: 290950139011074

Block: 290950139011075

Block: 290950141121050

Block: 290950141121052

Block: 290950141121060

Block: 290950141121062

VTD: Van Buren No. 31 & 33

VTD: Van Buren No. 34,35,36,& 37

VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43

VTD: Van Buren No. 41 & 42

VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20

VTD: Washington No. 1

VTD: Washington No. 10 & 10N

VTD: Washington No. 11

VTD: Washington No. 12

VTD: Washington No. 13

VTD: Washington No. 14

VTD: Washington No. 15

VTD: Washington No. 16

VTD: Washington No. 17

VTD: Washington No. 2

VTD: Washington No. 3

VTD: Washington No. 4

VTD: Washington No. 5

VTD: Washington No. 6

VTD: Washington No. 7

VTD: Washington No. 8
VTD: Washington No. 9
Lafayette MO County
Ray MO County
Saline MO County"; and

Further amend said bill, Pages 127 to 158, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following;

"Adair MO County
Andrew MO County
Atchison MO County
Buchanan MO County
Caldwell MO County
Carroll MO County
Chariton MO County
Clark MO County
Clay MO County (part)
VTD: Chou 8 (part)
Block: 290470223021029
VTD: FR 3 (part)
Block: 290470216001153
Block: 290470216001156
Block: 290470217021035
Block: 290470217021036
Block: 290470217025027
Block: 290470217025033
Block: 290470217025035
Block: 290470217025036
Block: 290470217025037
Block: 290470217025038
Block: 290470217025039
VTD: FR 4
VTD: FR 5 (part)
Block: 290470216001006
Block: 290470216001008
Block: 290470216001009
Block: 290470216001010
Block: 290470216001011
Block: 290470216001012
Block: 290470216001013
Block: 290470216001014
Block: 290470216001015
Block: 290470216001016
Block: 290470216001017
Block: 290470216001018
Block: 290470216001019
Block: 290470216001020
Block: 290470216001021
Block: 290470216001022
Block: 290470216001023
Block: 290470216001024
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Block: 290470216001030

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Block: 290470216001032
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Block: 290470216001036
Block: 290470216001037
Block: 290470216001038
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Block: 290470216001040
Block: 290470216001041
Block: 290470216001042
Block: 290470216001043
Block: 290470216001044
Block: 290470216001045
Block: 290470216001046
Block: 290470216001047
Block: 290470216001048
Block: 290470216001049
Block: 290470216001050
Block: 290470216001051
Block: 290470216001052
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Block: 290470216001056
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Block: 290470216001062
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Block: 290470216001064
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Block: 290470216001066
Block: 290470216001067
Block: 290470216001068
Block: 290470216001069
Block: 290470216001070
Block: 290470216001071
Block: 290470216001072
Block: 290470216001073
Block: 290470216001074
Block: 290470216001075
Block: 290470216001076
Block: 290470216001077
Block: 290470216001078
Block: 290470216001079
Block: 290470216001080
Block: 290470216001081
Block: 290470216001082
Block: 290470216001083
Block: 290470216001084
Block: 290470216001085
Block: 290470216001086

Block: 290470216001087
Block: 290470216001088
Block: 290470216001089
Block: 290470216001090
Block: 290470216001091
Block: 290470216001092
Block: 290470216001093
Block: 290470216001094
Block: 290470216001095
Block: 290470216001096
Block: 290470216001097
Block: 290470216001098
Block: 290470216001110
Block: 290470216001111
Block: 290470216001112
Block: 290470216001113
Block: 290470216001114
Block: 290470216001130
Block: 290470217012046
Block: 290470217012048
Block: 290470217013019
Block: 290470217013020
Block: 290470217013021
Block: 290470218054017
Block: 290470218054019
Block: 290470218054020
Block: 290470218054021
Block: 290470218054022
Block: 290470218054023
Block: 290470218054024
Block: 290470218054026
Block: 290470218054027
Block: 290470218054028
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Block: 290470218054030
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Block: 290470218054033
Block: 290470218054034
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Block: 290470218054039
Block: 290470218054040
Block: 290470218054041
Block: 290470218054045
Block: 290470218054046
Block: 290470218054047
Block: 290470218054048
Block: 290470218054053
Block: 290470218054054
Block: 290470218054055
Block: 290470218054056
Block: 290470218054058
Block: 290470218054059
Block: 290470218054065
Block: 290470218054130

Block: 290470218054131
Block: 290470218054132
Block: 290470218054133
Block: 290470218054158
Block: 290470218054159
VTD: Gal 17
VTD: KC 21 Lib 1
VTD: KC 21 Lib 2
VTD: KC 21 Lib 3
VTD: KC 21 Pl 1
VTD: KC 21-1
VTD: KC 21-12 (part)
Block: 290470212052031
Block: 290470212052032
Block: 290470212052033
Block: 290470212053000
Block: 290470212053001
Block: 290470212053002
Block: 290470212053003
Block: 290470212053004
Block: 290470212053005
Block: 290470212053006
Block: 290470212053007
Block: 290470212053008
Block: 290470212053009
Block: 290470212053010
Block: 290470212053011
Block: 290470212053012
Block: 290470212053013
Block: 290470212053014
Block: 290470212053015
Block: 290470212053016
Block: 290470212053017
Block: 290470212053018
Block: 290470212053019
Block: 290470212053020
Block: 290470212053021
Block: 290470212053022
Block: 290470212053023
Block: 290470212053024
Block: 290470212053025
Block: 290470212053026
Block: 290470212053027
Block: 290470212053028
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Block: 290470212053031
Block: 290470212053032
Block: 290470212053033
Block: 290470212053034
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Block: 290470212053036
Block: 290470212053037
Block: 290470212053038
Block: 290470212053039
Block: 290470212053040
Block: 290470212053041

Block: 290470212053042
Block: 290470212053043
Block: 290470212053044
Block: 290470212063000
Block: 290470212063010
Block: 290470212063011
Block: 290470212063022
Block: 290470212063023
Block: 290470213031010
Block: 290470213031011
Block: 290470213031012
Block: 290470213031013
Block: 290470213031014
Block: 290470213031015
Block: 290470213031016
Block: 290470213031017
Block: 290470213031018
Block: 290470213031019
Block: 290470213031020
Block: 290470213031021
Block: 290470213031022
Block: 290470213031023
Block: 290470213031024
Block: 290470213031025
Block: 290470213031026
Block: 290470213031030
Block: 290470213032010
Block: 290470213032011
Block: 290470213032012
Block: 290470213032013
Block: 290470213032014
Block: 290470213032015
Block: 290470213032016
Block: 290470213072021
Block: 290470213072022
Block: 290470213072023
Block: 290470213072024
Block: 290470213072025
Block: 290470213072026
Block: 290470213072034
Block: 290470213072035
Block: 290470213072038
Block: 290470213072039
Block: 290470213073007
Block: 290470213073018
Block: 290470213073019
Block: 290470213073020
Block: 290470213073021
Block: 290470213073040
Block: 290470213073041
Block: 290470213073042
Block: 290470213073043
Block: 290470213073044
Block: 290470213073045
Block: 290470213073046
Block: 290470213073047

Block: 290470213073048
 Block: 290470213073049
 Block: 290470213073050
 Block: 290470213073051
 Block: 290470213073052
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 Block: 290470213091041
 Block: 290470213091042
 Block: 290470213091043
 Block: 290470213091044
 Block: 290470213091045
 Block: 290470213091046
 Block: 290470213091054
 Block: 290470213091079
 Block: 290470213091080
 Block: 290470213091081
 Block: 290470213091082
 Block: 290470213101006
 Block: 290470213101007
 Block: 290470213101008
 Block: 290470213101013
 Block: 290470213101014
 Block: 290470213101015
 Block: 290470213102025
 Block: 290470213102026
 Block: 290470213102027
 Block: 290470213102028
 Block: 290470213102029
 Block: 290470213102030
 VTD: KC 21-13
 VTD: KC 21-15
 VTD: KC 21-16 (part)
 Block: 290470212052001
 Block: 290470212052002
 Block: 290470212072040
 Block: 290470212072041
 VTD: KC 21-17
 VTD: KC 21-2
 VTD: KC 21-26
 VTD: Kry 1
 VTD: Kry 2
 VTD: Kry 3
 VTD: Kry 4
 VTD: Lib 1
 VTD: Lib 10
 VTD: Lib 11
 VTD: Lib 12
 VTD: Lib 13 (part)
 Block: 290470222002035
 Block: 290470222002147

Block: 290470223012024
Block: 290470223012025
Block: 290470223012026
Block: 290470223021016
Block: 290470223021019
Block: 290470223021020
Block: 290470223021057
Block: 290470223021058
Block: 290470223021059
Block: 290470223021060
Block: 290470223023050
Block: 290470223023052
Block: 290470223023058
Block: 290470223023059
VTD: Lib 14
VTD: Lib 2
VTD: Lib 3 (part)
Block: 290470223012000
Block: 290470223012001
Block: 290470223012002
Block: 290470223012003
Block: 290470223012004
Block: 290470223012005
Block: 290470223012006
Block: 290470223012007
Block: 290470223012008
Block: 290470223012009
Block: 290470223012010
Block: 290470223012011
Block: 290470223012012
Block: 290470223012013
Block: 290470223012014
Block: 290470223012015
Block: 290470223012016
Block: 290470223021001
Block: 290470223021008
Block: 290470223022000
Block: 290470223022001
Block: 290470223022002
Block: 290470223022003
Block: 290470223022004
Block: 290470223022005
Block: 290470223022006
Block: 290470223022007
Block: 290470223022008
Block: 290470223022009
Block: 290470223022010
Block: 290470223022011
Block: 290470223022012
Block: 290470223022013
Block: 290470223022014
Block: 290470223022015
Block: 290470223022016
Block: 290470223022023
Block: 290470223022024
Block: 290470223022025

Block: 290470223023000
 Block: 290470223023001
 Block: 290470223023002
 Block: 290470223023003
 Block: 290470223023004
 Block: 290470223023005
 Block: 290470223023006
 Block: 290470223023007
 Block: 290470223023008
 Block: 290470223023009
 Block: 290470223023010
 Block: 290470223023011
 Block: 290470223023012
 Block: 290470223023013
 Block: 290470223023014
 Block: 290470223023015
 Block: 290470223023016
 Block: 290470223023017
 Block: 290470223023025
 Block: 290470223023026
 Block: 290470223023027
 Block: 290470223023028
 Block: 290470223023029
 Block: 290470223023032
 Block: 290470223023033
 Block: 290470223023034
 Block: 290470223023035
 Block: 290470223023037
 Block: 290470223023038
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 Block: 290470223023045
 Block: 290470223023046
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 Block: 290470223023049
 Block: 290470223023051
 Block: 290470223023053
 Block: 290470223023054
 Block: 290470223023055
 Block: 290470223023056
 Block: 290470223023057
 VTD: Lib 4
 VTD: Lib 5 (part)
 Block: 290470208011005
 Block: 290470208011006
 Block: 290470208011007
 Block: 290470208011038
 Block: 290470208011039
 Block: 290470208011040
 Block: 290470208011046
 Block: 290470208011047
 Block: 290470208011048
 Block: 290470208011049
 Block: 290470208011050
 Block: 290470208011051
 Block: 290470208011056

Block: 290470208011057
Block: 290470208011058
Block: 290470208012000
Block: 290470208012001
Block: 290470208012002
Block: 290470208012003
Block: 290470208012004
Block: 290470208012005
Block: 290470208012006
Block: 290470208012007
Block: 290470208012008
Block: 290470208012010
Block: 290470208012011
Block: 290470208012012
Block: 290470208012017
Block: 290470208012018
Block: 290470208012019
Block: 290470208012020
Block: 290470208013000
Block: 290470208013001
Block: 290470208013002
Block: 290470208013003
Block: 290470208015000
Block: 290470208015001
Block: 290470208015002
Block: 290470208015003
Block: 290470208015004
Block: 290470208015005
Block: 290470208015006
Block: 290470208015007
Block: 290470208015008
Block: 290470208015009
Block: 290470208015010
Block: 290470208015011
Block: 290470208015012
Block: 290470208015013
Block: 290470208015014
Block: 290470208015015
Block: 290470208015016
Block: 290470208015017
Block: 290470208015018
Block: 290470208015019
Block: 290470208015020
Block: 290470208015021
Block: 290470208015022
Block: 290470208015023
Block: 290470208015024
Block: 290470208015025
Block: 290470208015026
Block: 290470223021012
Block: 290470223021013
Block: 290470223021021
VTD: Lib 6
VTD: Lib 7
VTD: Lib 8
VTD: Lib 9

VTD: Pl 1

VTD: Pl 2

VTD: Pl 3

VTD: Wash 3

Clinton MO County

Daviess MO County

DeKalb MO County

Gentry MO County

Grundy MO County

Harrison MO County

Holt MO County

Jackson MO County (part)

VTD: Blue Sub 3 No. 11 (part)

Block: 290950147021004

Block: 290950148041006

Block: 290950148041009

Block: 290950148041010

Block: 290950148041014

VTD: Blue Sub 3 No. 12 & 13

VTD: Blue Sub 8 No. 11 (part)

Block: 290950145021006

Block: 290950145021014

Block: 290950145021026

VTD: Blue Sub 8 No. 12,12A,& 12B (part)

Block: 290950145022054

Block: 290950145022055

VTD: Fort Osage No. 1,1A,2,& 3 (part)

Block: 290950147021002

Block: 290950148041000

Block: 290950148041001

Block: 290950148041002

Block: 290950148041003

Block: 290950148041004

Block: 290950148041005

Block: 290950148041007

Block: 290950148041039

Block: 290950150001071

Block: 290950150001072

Block: 290950150001076

Block: 290950150001077

Block: 290950177001000

Block: 290950177001001

Block: 290950177001002

Block: 290950177001003

Block: 290950177001004

Block: 290950177001005

Block: 290950177001006

Block: 290950177001008

Block: 290950177001009

Block: 290950177001010

Block: 290950177001011

Block: 290950177001012

Block: 290950177001013

Block: 290950177001014

Block: 290950177001015

Block: 290950177001016

Block: 290950177001017
Block: 290950177001018
Block: 290950177001019
Block: 290950177001020
Block: 290950177001021
Block: 290950177001022
Block: 290950177001023
Block: 290950177001026
Block: 290950177001027
Block: 290950177001028
Block: 290950177001035
Block: 290950177001036
Block: 290950177003000
Block: 290950177003001
Block: 290950177003002
Block: 290950177003003
Block: 290950177003004
Block: 290950177003005
Block: 290950177003006
Block: 290950177003007
Block: 290950177003008
Block: 290950177003009
Block: 290950177003010
Block: 290950177003011
Block: 290950177003012
Block: 290950177003013
Block: 290950177003014
Block: 290950177003015
Block: 290950177003016
Block: 290950177003017
Block: 290950177003018
Block: 290950177003019
Block: 290950177003020
Block: 290950177003021
Block: 290950177003024
Block: 290950177003025
Block: 290950177003026
Block: 290950177003029
Block: 290950177003072
Block: 290950177003073
Block: 290950177003074
Block: 290950177003075
Block: 290950177003076
Block: 290950177003077
VTD: Fort Osage No. 11,12,& 15N
VTD: Fort Osage No. 16,17,17A,19,& 20
VTD: Fort Osage No. 21
VTD: Fort Osage No. 27 & 28
VTD: Fort Osage No. 4
VTD: Fort Osage No. 5 & 30
VTD: Fort Osage No. 6
VTD: Fort Osage No. 7,8,25,& 26
VTD: Fort Osage No. 9
VTD: KC WD24 PCT2406
VTD: KC WD24 PCT2407 (part)
Block: 290950142032009

Block: 290950142032013
VTD: KC WD24 PCT2408 (part)
Block: 290950142043041
Block: 290950142043042
Block: 290950142043044
VTD: KC WD24 PCT2423
VTD: Prairie No. 26,27,28,& 78
VTD: Prairie No. 29 & 30C
VTD: Prairie No. 30
VTD: Prairie No. 30A
VTD: Prairie No. 30B,82,& 82A
VTD: Prairie No. 31
VTD: Prairie No. 33
VTD: Prairie No. 34
VTD: Prairie No. 35
VTD: Prairie No. 4
VTD: Prairie No. 40A & 44A (part)
Block: 290950179003000
Block: 290950179003005
Block: 290950179003006
Block: 290950185001051
Block: 290950186001019
Block: 290950186001023
Block: 290950186001025
Block: 290950186001026
Block: 290950186001027
Block: 290950186001028
Block: 290950186001033
Block: 290950186002004
Block: 290950186002005
Block: 290950186002006
Block: 290950186002014
Block: 290950186002015
Block: 290950186002016
VTD: Prairie No. 41,42,& 81
VTD: Prairie No. 43 & 79 (part)
Block: 290950142042033
Block: 290950142042034
Block: 290950142042051
Block: 290950142042052
Block: 290950142042053
Block: 290950142042054
Block: 290950142042055
Block: 290950142042056
Block: 290950142042057
Block: 290950142042058
Block: 290950142043030
Block: 290950142043037
Block: 290950142043038
Block: 290950142043039
Block: 290950142043040
Block: 290950142043049
Block: 290950142043050
Block: 290950142043053
Block: 290950142043055
Block: 290950143003027

Block: 290950185001048
Block: 290950185001049
Block: 290950185001050
Block: 290959891001038
Block: 290959891001039
Block: 290959891001040
Block: 290959891001043
Block: 290959891001044
VTD: Prairie No. 45 (part)
Block: 290950137032016
Block: 290950137032020
VTD: Prairie No. 46,67,67A,& 67B
VTD: Prairie No. 47
VTD: Prairie No. 48
VTD: Prairie No. 49
VTD: Prairie No. 5
VTD: Prairie No. 50
VTD: Prairie No. 50A (part)
Block: 290950139041016
Block: 290950139041018
Block: 290950139042001
Block: 290950139042002
Block: 290950139042003
Block: 290950139042004
Block: 290950139042005
Block: 290950139042006
Block: 290950139042007
Block: 290950139042008
Block: 290950139042010
Block: 290950139042011
Block: 290950139042012
Block: 290950139042013
Block: 290950139042014
Block: 290950139043026
Block: 290950139043027
Block: 290950139043028
Block: 290950139043030
Block: 290950139043031
VTD: Prairie No. 50B
VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)
Block: 290950139013023
Block: 290950139013024
Block: 290950139013025
Block: 290950139013026
Block: 290950139013027
Block: 290950139013028
Block: 290950139013029
Block: 290950139013030
Block: 290950139043000
Block: 290950139043001
Block: 290950139043033
Block: 290950139161004
Block: 290950139161005
Block: 290950139161006
Block: 290950139161007
Block: 290950139161008

Block: 290950139161009

Block: 290950139161010

Block: 290950139161011

Block: 290950139161013

Block: 290950139161014

Block: 290950139161015

Block: 290950139161016

Block: 290950139161017

Block: 290950139161018

Block: 290950139161020

Block: 290950139162050

Block: 290950139162051

Block: 290950139162056

VTD: Prairie No. 50D

VTD: Prairie No. 55 & 56

VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X

VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)

Block: 290950141121020

Block: 290950141121021

Block: 290950141121022

Block: 290950141121023

Block: 290950141121024

Block: 290950141121025

Block: 290950141121026

Block: 290950141121027

Block: 290950141121028

Block: 290950141121029

Block: 290950141121030

Block: 290950141121042

Block: 290950141121043

Block: 290950141121044

Block: 290950141121047

Block: 290950141121048

Block: 290950141121056

Block: 290950141121057

Block: 290950141201046

Block: 290950141201054

Block: 290950141201055

Block: 290950141201056

Block: 290950141201057

Block: 290950141201058

Block: 290950141201060

Block: 290950141201067

VTD: Prairie No. 6

VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)

Block: 290950139013000

Block: 290950139013001

Block: 290950139013002

Block: 290950139013003

Block: 290950139013004

Block: 290950139013005

Block: 290950139013006

Block: 290950139013008

Block: 290950139013013

Block: 290950139013015

Block: 290950139013016

Block: 290950139013019
Block: 290950139013020
Block: 290950139013021
Block: 290950139161000
Block: 290950139161001
Block: 290950139161002
Block: 290950139161003
Block: 290950141121046
Block: 290950141121058
Block: 290950141201045
Block: 290950141201047
Block: 290950141201048
Block: 290950141201049
Block: 290950141201050
Block: 290950141201053
Block: 290950141201059
Block: 290950141201061
Block: 290950141201062
Block: 290950141201063
Block: 290950141201064
Block: 290950141201065
Block: 290950141201066
Block: 290950141201068
Block: 290950141201069
Block: 290959891001045
Block: 290959891001046
Block: 290959891001047
Block: 290959891001057
Block: 290959891001058
Block: 290959891001059
Block: 290959891001060
Block: 290959891001063
Block: 290959891001066
Block: 290959891001069
VTD: Prairie No. 66 & 66F
VTD: Prairie No. 66A,66B,66C,& 66G
VTD: Prairie No. 66D & 66E
VTD: Prairie No. 69
VTD: Prairie No. 7
VTD: Prairie No. 70,70A,70B,70C,& 70D
VTD: Sni-A-Bar No. 1,1B,& 1C (part)
Block: 290950145022007
Block: 290950145022008
Block: 290950145022009
Block: 290950145022017
Block: 290950145022018
Block: 290950145022019
Block: 290950145022042
Block: 290950145022043
Block: 290950145022045
Block: 290950145022046
Block: 290950145022047
Block: 290950145022048
Block: 290950145022049
Block: 290950145022050
Block: 290950145022051

Block: 290950145022052
Block: 290950145022053
Block: 290950145022060
Block: 290950145022061
Block: 290950145022062
Block: 290950145022063
Block: 290950145022064
Block: 290950145022065
Block: 290950145022066
Block: 290950145022068
Block: 290950145022070
Block: 290950193001005
Block: 290950193001006
Block: 290950193001007
Block: 290950193001008
VTD: Sni-A-Bar No. 10 (part)
Block: 290950149042003
Block: 290950149042004
Block: 290950149042005
Block: 290950149042006
Block: 290950149042007
Block: 290950149042008
Block: 290950149042009
Block: 290950149042010
Block: 290950149042011
Block: 290950149042012
Block: 290950149042013
Block: 290950149042014
Block: 290950149042018
Block: 290950149042019
Block: 290950149042020
Block: 290950149042021
Block: 290950149042022
VTD: Sni-A-Bar No. 11
VTD: Sni-A-Bar No. 11A
VTD: Sni-A-Bar No. 14,75N,& 75X (part)
Block: 290950149052013
Block: 290950149052014
Block: 290950149052015
Block: 290950149052016
Block: 290950149052017
VTD: Sni-A-Bar No. 14A & 75A (part)
Block: 290950141011015
VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69
VTD: Sni-A-Bar No. 18,68N,& 68X
VTD: Sni-A-Bar No. 19
VTD: Sni-A-Bar No. 1A
VTD: Sni-A-Bar No. 2 & 3A
VTD: Sni-A-Bar No. 20 & 70A
VTD: Sni-A-Bar No. 21,21B,70,& 71
VTD: Sni-A-Bar No. 22 (part)
Block: 290950141012001
Block: 290950141012004
Block: 290950141012005
Block: 290950141012006
Block: 290950141012017

Block: 290950141014003
Block: 290950141081014
Block: 290950141081018
VTD: Sni-A-Bar No. 23 (part)
Block: 290950141083003
Block: 290950141083004
Block: 290950141083005
Block: 290950141083006
Block: 290950141083007
Block: 290950141083008
Block: 290950141083009
Block: 290950141083010
Block: 290950141083011
Block: 290950141083012
Block: 290950141083013
Block: 290950141083014
Block: 290950141083015
Block: 290950141083016
Block: 290950141083017
Block: 290950141083018
Block: 290950141083019
Block: 290950141083024
Block: 290950141083025
Block: 290950141083026
Block: 290950141083027
Block: 290950141083028
Block: 290950141083029
Block: 290950141083030
Block: 290950141083031
Block: 290950141083032
Block: 290950141083033
Block: 290950141083036
Block: 290950141083037
Block: 290950141083040
VTD: Sni-A-Bar No. 24 (part)
Block: 290950141014013
Block: 290950141014014
Block: 290950141014015
Block: 290950141014016
Block: 290950141014034
Block: 290950141014047
Block: 290950141082019
Block: 290950141082020
Block: 290950141082021
Block: 290950141082022
Block: 290950141082023
Block: 290950141082024
Block: 290950141082026
Block: 290950141082027
Block: 290950141082028
Block: 290950141082029
Block: 290950141082030
Block: 290950141082031
Block: 290950141082032
Block: 290950141082033
Block: 290950141082034

Block: 290950141083000
 Block: 290950141083001
 Block: 290950141083002
 Block: 290950141083020
 Block: 290950141083021
 Block: 290950141083022
 Block: 290950141083023
 VTD: Sni-A-Bar No. 25,72A,& 72B
 VTD: Sni-A-Bar No. 26 & 26N
 VTD: Sni-A-Bar No. 27 (part)
 Block: 290950141083039
 Block: 290950141144003
 Block: 290950141144004
 Block: 290950141144005
 Block: 290950141144007
 Block: 290950141144008
 Block: 290950141144010
 Block: 290950141144011
 Block: 290950141144012
 Block: 290950141144013
 Block: 290950141144014
 VTD: Sni-A-Bar No. 29 & 73
 VTD: Sni-A-Bar No. 3 & 3B
 VTD: Sni-A-Bar No. 30
 VTD: Sni-A-Bar No. 30A,30B,30C,& 30D
 VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)
 Block: 290950141054002
 Block: 290950141054010
 Block: 290950141054011
 Block: 290950141054012
 Block: 290950141055020
 Block: 290950141055022
 Block: 290950141055026
 Block: 290950141055027
 Block: 290950141055068
 Block: 290950141055069
 VTD: Sni-A-Bar No. 32 & 78N
 VTD: Sni-A-Bar No. 33
 VTD: Sni-A-Bar No. 34,34A,& 74
 VTD: Sni-A-Bar No. 35
 VTD: Sni-A-Bar No. 35A
 VTD: Sni-A-Bar No. 36,36A,& 79A
 VTD: Sni-A-Bar No. 37,38,& 39
 VTD: Sni-A-Bar No. 4 & 4N
 VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)
 Block: 290950140071002
 Block: 290950140071003
 Block: 290950140071004
 Block: 290950140071005
 Block: 290950140071006
 Block: 290950140071011
 Block: 290950140071012
 Block: 290950140071013
 Block: 290950140071014
 Block: 290950140071018
 Block: 290950140071025

Block: 290950140071026
Block: 290950140071027
Block: 290950140071028
Block: 290950140071029
Block: 290950140071030
Block: 290950140071031
Block: 290950140071032
Block: 290950140071038
Block: 290950140071041
Block: 290950140071044
Block: 290950140071045
Block: 290950140071046
Block: 290950140071047
Block: 290950140071054
Block: 290950140071055
Block: 290950140071056
Block: 290950140071057
Block: 290950140071080
Block: 290950140071081
Block: 290950140071096
Block: 290950140071097
Block: 290950149032075
Block: 290950149032076
Block: 290950149032077
Block: 290950149032106
Block: 290950149032135
VTD: Sni-A-Bar No. 49
VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X
VTD: Sni-A-Bar No. 5 & 5N
VTD: Sni-A-Bar No. 50 & 91 (part)
Block: 290950140042000
Block: 290950140042001
VTD: Sni-A-Bar No. 52 & 52A
VTD: Sni-A-Bar No. 53 & 92 (part)
Block: 290950140041022
VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97
VTD: Sni-A-Bar No. 6 & 6B
VTD: Sni-A-Bar No. 65,65N,& 65X
VTD: Sni-A-Bar No. 68 & 68Z
VTD: Sni-A-Bar No. 6A & 66
VTD: Sni-A-Bar No. 6C,6D,6E,& 6F
VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)
Block: 290950141055021
Block: 290950141055023
Block: 290950141055024
Block: 290950141055025
Block: 290950141055064
Block: 290950141111003
Block: 290950141111005
Block: 290950141111006
Block: 290950141111010
Block: 290950141111011
Block: 290950141111013
Block: 290950141111014
Block: 290950141111029

Block: 290950141111051
Block: 290950141121006
Block: 290950141121017
VTD: Sni-A-Bar No. 8
VTD: Sni-A-Bar No. 80
VTD: Sni-A-Bar No. 81B
VTD: Sni-A-Bar No. 82,82A,82N,& 82X
VTD: Sni-A-Bar No. 89
VTD: Sni-A-Bar No. 9
VTD: Sni-A-Bar No. 90,90A,90B,& 90N
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)
Block: 290950141121014
Block: 290950141121015
Block: 290950141121016
Block: 290950141121018
Block: 290950141121019
Block: 290950141121034
Block: 290950141121035
Block: 290950141121037
Block: 290950141121038
Block: 290950141121039
Block: 290950141121053
Block: 290950141121054
Block: 290950141121055
VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)
Block: 290950139013007
Block: 290950139013009
Block: 290950139013010
Block: 290950139013011
Block: 290950139013012
Block: 290950139013014
Block: 290950139013017
Block: 290950139013018
Block: 290950139013022
Knox MO County
Lewis MO County
Linn MO County
Livingston MO County
Macon MO County
Marion MO County
Mercer MO County
Monroe MO County
Nodaway MO County
Platte MO County
Putnam MO County
Ralls MO County
Randolph MO County (part)
VTD: Cairo
VTD: Clark
VTD: Clifton Hill
VTD: Darksville
VTD: Higbee (part)
Block: 291754906002027
Block: 291754906002028
Block: 291754906002029
Block: 291754906002030

Block: 291754906002031
Block: 291754906002032
Block: 291754906002106
Block: 291754906002107
Block: 291754906002108
Block: 291754906002110
Block: 291754906002111
Block: 291754906002112
Block: 291754906002113
Block: 291754906002114
Block: 291754906002115
Block: 291754906002116
Block: 291754906002117
Block: 291754906002124
Block: 291754906002125
Block: 291754906002128
Block: 291754906002129
Block: 291754906002130
Block: 291754906002131
Block: 291754906002132
Block: 291754906002133
Block: 291754906002134
Block: 291754906002135
Block: 291754906002136
Block: 291754906002137
Block: 291754906002138
Block: 291754906002139
Block: 291754906002140
Block: 291754906002141
Block: 291754906002142
Block: 291754906002143
Block: 291754906002144
Block: 291754906002145
Block: 291754906002146
Block: 291754906002156
Block: 291754906002157
Block: 291754906002158
Block: 291754906002159
Block: 291754906002160
Block: 291754906002167
Block: 291754906002197
Block: 291754906002198
Block: 291754906002203
Block: 291754906002211
Block: 291754906002215
Block: 291754906002216
Block: 291754906002221
Block: 291754906003000
Block: 291754906003001
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 Block: 291754906003052
 Block: 291754906003053
 Block: 291754906004027
 Block: 291754906004028
 Block: 291754906004029
 Block: 291754906004036
 Block: 291754906004037
 Block: 291754906004038
 Block: 291754906004175
 Block: 291754906004176
 Block: 291754906004177
 VTD: Huntsville
 VTD: Jacksonville
 VTD: Levicks Mill
 VTD: Mt. Airy
 VTD: North Sugar Creek
 VTD: Renick
 VTD: Salt Springs
 VTD: South Sugar Creek
 VTD: Thomas Hill

**VTD: Union
Schuyler MO County
Scotland MO County
Shelby MO County
Sullivan MO County
Worth MO County"; and**

Further amend said bill, Pages 158 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following;

**"Barry MO County
Barton MO County
Cedar MO County
Christian MO County (part)
VTD: BRUNER (part)
Block: 290430204004192
Block: 290430204004193
Block: 290430204004215
Block: 290430204004216
Block: 290430204004221
Block: 290430204004222
Block: 290430204004234
Block: 290430204004235
Block: 290430204004242
VTD: CASSIDY
VTD: CASSIDY 6
VTD: CHADWICK
VTD: EAST FINLEY
VTD: GARDEN GROVE
VTD: GARRISON
VTD: LEAD HILL
VTD: LINCOLN
VTD: LINCOLN 2
VTD: LINDEN
VTD: MCCracken
VTD: NORTH GALLOWAY
VTD: NORTH LINN
VTD: NORTHVIEW 1
VTD: NORTHVIEW 2
VTD: OLDFIELD
VTD: POLK
VTD: RIVERSIDE
VTD: RIVERSIDE 2
VTD: ROSEDALE 1A
VTD: ROSEDALE 1B
VTD: ROSEDALE 2
VTD: SADDLEBROOKE
VTD: SENECA
VTD: SOUTH GALLOWAY
VTD: SOUTH LINN
VTD: SPARTA
VTD: UNION CHAPEL 1
VTD: UNION CHAPEL 2
VTD: WEST BENTON
VTD: WEST FINLEY
Dade MO County**

Greene MO County
Hickory MO County (part)
VTD: Carson's Corner (part)
Block: 290854701003116
Block: 290854701003117
Block: 290854701003118
Block: 290854701003119
Block: 290854701003124
Block: 290854701003125
Block: 290854701003128
Block: 290854703001090
Block: 290854703001091
Block: 290854703001092
Block: 290854703001093
Block: 290854703001094
Block: 290854703001095
Block: 290854703001096
Block: 290854703001097
Block: 290854703001099
Block: 290854703001117
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Block: 290854703001119
Block: 290854703001120
Block: 290854703001121
Block: 290854703001122
Block: 290854703001123
Block: 290854703001128
Block: 290854703001129
Block: 290854703002001
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Block: 290854703002004
Block: 290854703002006
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Block: 290854703002011
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Block: 290854703002013
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Block: 290854703002015
Block: 290854703002016
Block: 290854703002017
Block: 290854703002018
Block: 290854703002019
Block: 290854703002039
Block: 290854703002040
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Block: 290854703002042
Block: 290854703002043
Block: 290854703002086
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Block: 290854703002099
Block: 290854703002100
Block: 290854703002101
Block: 290854703002102
Block: 290854703002103
Block: 290854703002104
Block: 290854703002105
Block: 290854703002106
Block: 290854703002107
Block: 290854703002108
Block: 290854703002109
Block: 290854703002110
Block: 290854703002116
Block: 290854703002117
Block: 290854703002118
Block: 290854703002122
Block: 290854703002129
Block: 290854705001000
Block: 290854705001001
Block: 290854705001002
VTD: Elkton
VTD: Hermitage (part)
Block: 290854701002020
Block: 290854701002021
Block: 290854703001025
Block: 290854703001027
Block: 290854703001028
Block: 290854703001029
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Block: 290854703001085
Block: 290854703001086
Block: 290854703001087
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Block: 290854703001089
Block: 290854703001098
Block: 290854703001100
Block: 290854703001101
Block: 290854703001102
Block: 290854703001103
Block: 290854703001104

Block: 290854703001105
 Block: 290854703001106
 Block: 290854703001108
 Block: 290854703001109
 Block: 290854703001110
 Block: 290854703001111
 Block: 290854703001112
 Block: 290854703001113
 Block: 290854703001114
 Block: 290854703001115
 Block: 290854703001116
 Block: 290854703001125
 Block: 290854703001126
 Block: 290854703001127
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 Block: 290854703001180
 Block: 290854703001181
 Block: 290854703001186
 Block: 290854703001187
 Block: 290854703001188
 Block: 290854703001189
 Block: 290854703001193
 Block: 290854703001198
 Block: 290854703001200
 Block: 290854703001201

Block: 290854703001205
Block: 290854703001206
Block: 290854703001211
Block: 290854703001213
Block: 290854703001214
Block: 290854703001215
Block: 290854703001216
Block: 290854703001217
Block: 290854703001219
VTD: Pittsburg
VTD: Pleasant Ridge
VTD: Weaubleau
Jasper MO County
Lawrence MO County
McDonald MO County
Newton MO County
Polk MO County
Stone MO County
Vernon MO County"; and

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 204, by deleting all of said lines and inserting in lieu thereof the following;

"Bollinger MO County
Butler MO County
Cape Girardeau MO County
Carter MO County
Christian MO County (part)
VTD: BRUNER (part)
Block: 290430204004032
Block: 290430204004035
Block: 290430204004036
Block: 290430204004037
Block: 290430204004038
Block: 290430204004039
Block: 290430204004040
Block: 290430204004042
Block: 290430204004043
Block: 290430204004044
Block: 290430204004045
Block: 290430204004046
Block: 290430204004099
Block: 290430204004100
Block: 290430204004101
Block: 290430204004102
Block: 290430204004103
Block: 290430204004104
Block: 290430204004105
Block: 290430204004106
Block: 290430204004110
Block: 290430204004111
Block: 290430204004112
Block: 290430204004113
Block: 290430204004114
Block: 290430204004115
Block: 290430204004116

Block: 290430204004117
Block: 290430204004118
Block: 290430204004123
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Block: 290430204004125
Block: 290430204004126
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Block: 290430204004137
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Block: 290430204004146
Block: 290430204004147
Block: 290430204004152
Block: 290430204004153
Block: 290430204004165
Block: 290430204004166
Block: 290430204004167
Block: 290430204004168
Block: 290430204004169
Block: 290430204004170
Block: 290430204004171
Block: 290430204004183
Block: 290430204004184
Block: 290430204004187
Block: 290430204004194
Block: 290430204004217
Block: 290430204004218
Block: 290430204004220
Block: 290430204004223
Block: 290430204004224
Block: 290430204004225
Block: 290430204004226
Block: 290430204004227
Block: 290430204004228
Block: 290430204004232
Block: 290430204004236
Block: 290430204004237
Block: 290430204004238
Block: 290430204004240
VTD: EAST BENTON
Dallas MO County
Dent MO County

Douglas MO County
Dunklin MO County
Howell MO County
Iron MO County
Laclede MO County
Madison MO County
Mississippi MO County
New Madrid MO County
Oregon MO County
Ozark MO County
Pemiscot MO County
Perry MO County
Phelps MO County
Pulaski MO County
Reynolds MO County
Ripley MO County
Scott MO County
Shannon MO County
Stoddard MO County
Taney MO County
Texas MO County
Wayne MO County
Webster MO County
Wright MO County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Colona moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

NOES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins

Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 71	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Hinson	Nasheed	Schneider	Webber	Zimmerman
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VACANCIES: 001

On motion of Representative Diehl, **HCS HB 193** was adopted.

On motion of Representative Diehl, **HCS HB 193** was ordered perfected and printed.

HCS HB 840, relating to the Aerotropolis Trade Incentive and Tax Credit Act, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 840** was adopted.

On motion of Representative Jones (117), **HCS HB 840** was ordered perfected and printed.

HB 677, relating to vision examinations for students, was taken up by Representative Wells.

On motion of Representative Wells, **HB 677** was ordered perfected and printed.

HB 737, relating to hydroelectric power, was taken up by Representative Redmon.

Representative Funderburk offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 737, Page 2, Section 137.010, Line 33, by inserting immediately after said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) "General reassessment", changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) "Tax rate ceiling", a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) "Tax revenue", when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term "tax revenue" shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, or as excess home dock city or county fees as provided in subsection 4 of section 313.820, RSMo, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate [may] **shall not exceed the greater of the most recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section. Any political subdivision that has received approval from voters for a tax increase after August 27, 2008, may levy a rate to collect substantially the same amount of tax revenue as the amount of revenue that would have been derived by applying the voter-approved increased tax rate ceiling to the total assessed valuation of the political subdivision as most recently certified by the city or county clerk on or before the date of the election in which such increase is approved, increased by the percentage increase in the consumer price index, as provided by law, except that the rate shall not exceed the greater of the most recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section.** Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the current taxable year. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate,

based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in a prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive had the corrected or finalized assessment been available at the time of the prior calculation.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 15 of section 137.115, the assessor shall certify the amount of new construction and improvements and the amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on February first of each year over the immediately preceding prior twelve-month period

in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state-assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be adjusted as provided in this section and, so adjusted, shall be the current tax rate ceiling. The increased tax rate ceiling as approved shall be adjusted such that when applied to the current total assessed valuation of the political subdivision, excluding new construction and improvements since the date of the election approving such increase, the revenue derived from the adjusted tax rate ceiling is equal to the sum of: the amount of revenue which would have been derived by applying the voter-approved increased tax rate ceiling to total assessed valuation of the political subdivision, as most recently certified by the city or county clerk on or before the date of the election in which such increase is approved, increased by the percentage increase in the consumer price index, as provided by law. Such adjusted tax rate ceiling may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate. If a ballot question presents a phased-in tax rate increase, upon voter approval, each tax rate increase shall be adjusted in the manner prescribed in this section to yield the sum of: the amount of revenue that would be derived by applying such voter-approved increased rate to the total assessed valuation, as most recently certified by the city or county clerk on or before the date of the election in which such increase was approved, increased by the percentage increase in the consumer price index, as provided by law, from the date of the election to the time of such increase and, so adjusted, shall be the current tax rate ceiling.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may, in a nonreassessment year, increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval in the manner provided under subdivision (4) of this subsection. Nothing in this section shall be construed as prohibiting a political subdivision from voluntarily levying a tax rate lower than that which is required under the provisions of this section or from seeking voter approval of a reduction to such political subdivision's tax rate ceiling.

(4) In a year of general reassessment, a governing body whose tax rate is lower than its tax rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of this section as if its tax rate was at the tax rate ceiling. In a year following general reassessment, if such governing body intends to increase its tax rate, the governing body shall conduct a public hearing, and in a public meeting it shall adopt an ordinance, resolution, or policy statement justifying its action prior to setting and certifying its tax rate. The provisions of this subdivision shall not apply to any political subdivision which levies a tax rate lower than its tax rate ceiling solely due to a reduction required by law resulting from sales tax collections. The provisions of this subdivision shall not apply to any political subdivision which has received voter approval for an increase to its tax rate ceiling subsequent to setting its most recent tax rate.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting

quotient by a factor of one hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not be incorporated by reference. The state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be *prima facie* valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to

revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo, or otherwise contested. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Silvey resumed the Chair.

On motion of Representative Funderburk, **House Amendment No. 1** was adopted.

On motion of Representative Redmon, **HB 737, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

SCS SB 19, relating to corporate franchise taxes, was taken up by Representative Nolte.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 19, Section 147.010, Page 3, Lines 61-69, by deleting all of said lines and inserting in lieu thereof the following:

“(1) For tax year 2012, the rate shall be one-thirty-third of one percent and the threshold amount shall be ten million dollars;

(2) For tax year 2013, the rate shall be one-thirty-seventh of one percent and the threshold amount shall be ten million dollars;

(3) For tax year 2014, the rate shall be one-forty-third of one percent and the threshold amount shall be ten million dollars;

(4) For tax year 2015, the rate shall be one-fiftieth of one percent and the threshold amount shall be ten million dollars;

(5) For tax year 2016, the rate shall be one-sixty-seventh of one percent and the threshold amount shall be ten million dollars;

(6) For tax year 2017, the rate shall be one-seventy-fifth of one percent and the threshold amount shall be ten million dollars;

(7) For tax year 2018, the rate shall be one-hundred-thirteenth of one percent and the threshold amount shall be ten million dollars;

(8) For tax year 2019, the rate shall be one-hundred-fiftieth of one percent and the threshold amount shall be ten million dollars;

(9) For tax year 2020, the rate shall be two-hundred-fiftieth of one percent and the threshold amount shall be ten million dollars;

(10) For tax years beginning on or after January 1, 2021, no”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Hughes	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dugger	Gatschenberger	Hinson	Meadows	Nasheed
Phillips	Schneider	Zimmerman		

VACANCIES: 001

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Lochner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McGeoghegan	McManus	McNeil	Montecillo
Nasheed	Newman	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 014

Davis	Dugger	Franz	Gatschenberger	Hinson
Leara	McDonald	Meadows	Nichols	Phillips
Pollock	Schneider	Talboy	Zimmerman	

VACANCIES: 001

On motion of Representative Nolte, **SCS SB 19** was truly agreed to and finally passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 006

Franz	Haefner	Hinson	Meadows	Phillips
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

**SUPPLEMENTAL CALENDAR
APRIL 6, 2011**

HOUSE BILL FOR THIRD READING

HCS HB 193 - Diehl

THIRD READING OF HOUSE BILL

HCS HB 193, relating to congressional districts, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 193** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McGhee	McNary
Molendorp	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Jones 63	Kander	Keeney	Kelly 24
Kirkton	Kratky	Lampe	Lasater	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Nance	Newman	Nichols	Oxford	Pace

Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 003

Hinson	Meadows	Zimmerman
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VACANCIES: 001

Representative Silvey declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 473, relating to charter schools, was taken up by Representative Jones (63).

Representative Thomson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 473, Page 1, Section 160.400, Lines 2 to 9, by deleting all of said lines and inserting in lieu thereof the following:

- “2. **Except as further provided in subsection 4 of this section**, charter schools may be operated only:
- (1) In a metropolitan school district [or];**
 - (2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants [and may be sponsored by any of the following];**
 - (3) In a school district that has been declared unaccredited;**
 - (4) In a provisionally accredited school district under the following conditions:**
 - (a) A school district is first eligible for charter schools after three consecutive full school years in provisionally accredited status;**
 - (b) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529 or on financial hardship as defined by rule of the state board of education shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and**
 - (c) The sponsor is limited to the local school board or a sponsor who has met standards of accountability and performance in its sponsorship of other charter schools as determined by rule of the state board of education; or**
 - (5) In a school district that has been accredited without provisions, sponsored only by the local school board.**
- 3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:**
- (1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2011 as permitted under subdivision (1) of subsection 2;”;** and

Further amend said bill, and section, Page 2, Lines 27 to 29, by deleting all of said lines and inserting in lieu thereof the following:

“4. **Changes in a school district’s accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:**

(1) Existing charter schools sponsored by entities that would not be permitted to sponsor charter schools in an unaccredited district shall be permitted to be maintained but not expanded after the district achieves three consecutive full school years of provisional accreditation.

Existing charter schools sponsored by entities that would not be permitted to sponsor charter schools in a provisionally accredited district shall be permitted to be maintained but not expanded after the district achieves three consecutive full school years without provisional accreditation.

(2) A charter school in a district described in subdivision (1) of this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the school is operated.”; and

Further amend said bill, Section 160.405, Page 13, Line 255, by deleting the numeral “17” and inserting in lieu thereof the following: “18”; and

Further amend said bill, section, and page, Line 261, by inserting after all of said line the following:

“The decision of the state board of education to revoke a charter under subsection 18 of section 160.400 or not to renew a charter under paragraph (b) of subdivision (2) of subsection 9 of this section shall be final.”; and

Further amend said bill, Section 160.410, Page 14, Lines 6 and 7, by deleting the following:

“any nonresident pupil from the same or an adjacent county who is considered high risk or is a dropout, or”; and

Further amend said bill and section, Page 15, Line 34, by inserting after the word “level.” the following:

“Students of a charter school that are present for the January membership count as defined in section 163.011 shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.”; and

Further amend said bill, Section 160.425, Page 23, Line 47, by inserting after all of said section the following:

“Section 1. The joint committee on education shall review the fifth cycle school improvement program standards to determine what effects, if any, changes to performance standards may have on the number and type of charter schools and charter school sponsorship as a consequence of a district’s accreditation status. The joint committee on education shall deliver its report, which may contain recommendations for changes to law or to state board of education policy, no later than December 31, 2011, and again upon any subsequent substantive revision of the standards.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dieckhaus offered House Amendment No. 1 to House Amendment No. 1.

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 473, Page 2, Lines 3 to 8 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:

“(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation.”; and

Further amend said amendment and page, Line 9 of said amendment, by deleting the following:

“**subdivision (1) of**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 473, with House Amendment No. 1 to House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 291 - Fiscal Review (Fiscal Note)

HCS HB 840 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, the United States Environmental Protection Agency (EPA) has proposed or is proposing numerous new regulations, particularly in the area of air quality and regulation of greenhouse gases, that are likely to have major effects on the economy, jobs, and the competitiveness of the United States in worldwide markets; and

WHEREAS, EPA's regulatory activity as to air quality and greenhouse gases has numerous and overlapping requirements and may have a potentially devastating consequence on the economy; and

WHEREAS, concern is growing that, with Cap-and-Trade legislation having failed in the United States Congress, EPA is attempting to obtain the same results through the adoption of regulations; and

WHEREAS, EPA over-regulation is driving jobs and industry out of the United States; and

WHEREAS, neither EPA nor the Administration has undertaken any comprehensive study of what the cumulative effect that the new regulatory activity will have on the economy, jobs, and competitiveness; and

WHEREAS, EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse gas regulation will be in terms of impacts on global climate; and

WHEREAS, state agencies are routinely required to identify the costs of their regulations and to justify those costs in light of the benefits; and

WHEREAS, since EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-15 time period, EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost of all these actions together; and

WHEREAS, the Missouri General Assembly supports continuing improvements in the quality of the nation's air and believes that such improvements can be made in a sensible fashion without damaging the economy so long as there is a full understanding of the cost of the regulation at issue; and

WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of jobs; and

WHEREAS, public health and welfare will suffer without significant new job creation and economic improvement, because people with good jobs are better able to take care of themselves and their families than the unemployed and because environmental improvement is only possible in a society that generates wealth:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to:

(1) Adopt legislation prohibiting EPA, by any means necessary, from regulating greenhouse gas emissions, including defunding EPA greenhouse gas regulatory activities, if necessary;

(2) Impose a moratorium on promulgation of any new air quality regulation by EPA, by any means necessary, except to directly address an imminent health or environmental emergency, for a period of at least two years, including defunding EPA air quality regulatory activities; and

(3) Require the Administration to undertake a study identifying all regulatory activity the EPA intends to undertake in furtherance of its goal of "taking action on climate change and improving air quality" and specifying the cumulative effect of all of these regulations on the economy, jobs, and the economic competitiveness of the United States. The study should be a multi-agency study drawing on the expertise both of EPA and of agencies and departments having expertise in and responsibility for the economy and the electric system and should provide an objective cost-benefit analysis of all the EPA's current and planned regulation together; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States; the Majority and Minority Leaders of the United States House of Representatives and Senate; Lisa P. Jackson, the Administrator of the Environmental Protection Agency; and each member of the Missouri Congressional delegation.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 818**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 643**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 613**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 8**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas.

The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Thursday, April 7, 2011.

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

BUDGET

Thursday, April 7, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of Capital Improvements, Maintenance & Repair, and
Reappropriations Presentations.

DOWNSIZING STATE GOVERNMENT

Thursday, April 7, 2011, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 11, HJR 12, HB 437, HB 493
Executive session may be held on any matter referred to the committee.
AMENDED

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2011, 8:00 AM South Gallery.
Public hearing will be held: HB 588
Executive session may be held on any matter referred to the committee.
AMENDED

FINANCIAL INSTITUTIONS

Thursday, April 7, 2011, 9:00 AM North Gallery.
Public hearing will be held: HB 811, SB 71, SB 83, SCS SB 219
Executive session may be held on any matter referred to the committee.
Continued from 4/6/11.

RURAL COMMUNITY DEVELOPMENT

Thursday, April 7, 2011, North Gallery upon morning adjournment.
Executive session will be held: HB 742

TOURISM AND NATURAL RESOURCES

Thursday, April 7, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 135, SB 180, HB 103, HB 597

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCR 7, SB 173

Executive session will be held: HB 659, HB 786

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 298, HB 824, HB 979

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 11, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 8

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIRST DAY, THURSDAY, APRIL 7, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig
- 3 HCS HJR 5 - Pollock

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 111 - Cox
- 7 HCS HBs 223 & 231 - Wallingford
- 8 HCS HB 401 - Diehl
- 9 HCS HB 407 - Wieland
- 10 HCS HB 430 - Burlison
- 11 HCS HB 464 - McNary
- 12 HCS HB 555 - Grisamore
- 13 HB 591 - Lichtenegger
- 14 HB 655 - Lampe

- 15 HCS HB 657 - Allen
- 16 HCS HB 697 - Smith (150)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 3 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 458 - Loehner
- 2 HCS HB 641 - Franz
- 3 HCS HB 192, E.C. - Jones (89)
- 4 HCS HBs 470 & 429 - Funderburk
- 5 HCS HB 336 - Burlison
- 6 HCS HB 28 - Sater
- 7 HCS HB 546 - Kelly (24)
- 8 HCS HBs 411 & 421 - Wyatt
- 9 HCS HB 468 - Diehl
- 10 HB 291, (Fiscal Review 4-6-11) - Denison
- 11 HCS HB 840, (Fiscal Review 4-6-11) - Jones (117)
- 12 HB 677 - Wells
- 13 HB 737 - Redmon

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FIRST DAY, THURSDAY, APRIL 7, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

They that wait upon the Lord shall renew their strength. (Isaiah 40:31)

Our Father God, Who is from everlasting to everlasting, to You we come and unto You we lift our hearts in prayer. Always You are with us, always You seek to arise anew within our minds. Help us to be aware of Your presence and, by clear thinking, clean living, and a creative faith, we may find Your spirit coming to new life deep within our own being.

We pray for greater strength - strength to resist evil, strength to overcome our temptations, strength to do what we ought to do and to live as we ought to live. O God, come into our hearts and help us do for ourselves what we cannot do by ourselves - win the battle over our own weaknesses. Thus, may we be given strength to do our full part in making our hearts good and sound and wise. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fiftieth day was approved as printed.

SPECIAL RECOGNITION

Graduates of the Missouri Statewide Drug Courts were introduced by Speaker Pro Tem Schoeller and presented with a resolution.

HOUSE RESOLUTION

Representative Long, et al., offered House Resolution No. 1826.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1807 through House Resolution No. 1825

House Resolution No. 1827 through House Resolution No. 1846

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS#2 HB 609, relating to the Show-me Health Insurance Exchange Act, was taken up by Representative Molendorp.

HCS#2 HB 609 was laid over.

THIRD READING OF HOUSE BILLS

HB 458, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 458** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116 Hughes Webber Wells Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 641, relating to controlled substances, was taken up by Representative Franz.

Representative Smith (150) assumed the Chair.

On motion of Representative Franz, **HCS HB 641** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

1157 *Journal of the House*

NOES: 012

Colona	Ellinger	Holsman	Hughes	Jones 63
Kelly 24	May	McGeoghegan	Oxford	Pierson
Smith 71	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Diehl	Webber	Zimmerman	Mr Speaker
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VACANCIES: 001

Representative Smith (150) declared the bill passed.

HCS HB 192, relating to environmental protections, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HCS HB 192** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 001

Hughes

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 007

Brown 116	Jones 63	Kander	Loehner	Webber
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

1159 *Journal of the House*

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Webb	Zimmerman	Mr Speaker
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VACANCIES: 001

HCS HBs 470 & 429, relating to nonresident entertainer income tax, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HBs 470 & 429** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Sifton	Silvey	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 015

Asbury	Burlison	Carlson	Ellinger	Hubbard
Kirkton	Lasater	Marshall	May	Oxford
Quinn	Schupp	Shively	Smith 71	Spreng

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Schad	Zimmerman	Mr Speaker
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VACANCIES: 001

Representative Smith (150) declared the bill passed.

HCS HB 336, relating to tax incentives to attract sporting events to Missouri, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 336** was read the third time and passed by the following vote:

AYES: 134

Allen	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 024

Anders	Bahr	Black	Brattin	Conway 14
Cookson	Curtman	Dugger	Guernsey	Hinson
Keeney	Kirkton	Koenig	Largent	Lasater
Leach	Marshall	Newman	Oxford	Pace
Richardson	Schad	Walton Gray	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Scharnhorst	Swearingen	Zimmerman
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VACANCIES: 001

Representative Smith (150) declared the bill passed.

HCS HB 28, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Sater.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 054

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24

Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Anders	Brattin	Brown 116	Weter	Zimmerman
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VACANCIES: 001

On motion of Representative Sater, **HCS HB 28** was read the third time and passed by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 038

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Hughes	Jones 63
Kander	Kelly 24	Kirkton	Lampe	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 006

Anders	Brown 116	May	Schad	Weter
Zimmerman				

VACANCIES: 001

Representative Smith (150) declared the bill passed.

HCS HB 546, relating to the Missouri Housing Development Commission, was taken up by Representative Diehl.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Diehl, **HCS HB 546** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 028

Atkins	Brown 50	Carlson	Colona	Ellinger
Harris	Hodges	Hughes	Hummel	Kirkton
May	McGeoghegan	McNeil	Montecillo	Newman

Nichols	Oxford	Pace	Pierson	Quinn
Schieffer	Schupp	Shively	Smith 71	Still
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Conway 27	Day	Peters-Baker	Sater
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 411 & 421, relating to residents of developmental disability facilities, was taken up by Representative Wyatt.

Representative Franz assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	Montecillo

1165 *Journal of the House*

Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 116	Day	Guernsey	Lant	Leara
McNeil	Meadows	Peters-Baker	Sater	Zimmerman

VACANCIES: 001

Representative Wyatt moved that **HCS HBs 411 & 421** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 067

Allen	Bahr	Barnes	Bernskoetter	Burlison
Cauthorn	Conway 14	Conway 27	Cox	Cross
Curtman	Dieckhaus	Diehl	Elmer	Entlicher
Faith	Fitzwater	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Koenig	Korman	Lasater	Lauer
Lichtenegger	Loehner	Long	May	McNary
Nasheed	Neth	Nolte	Parkinson	Quinn
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Stream
Thomson	Wallingford	Weter	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 087

Anders	Asbury	Atkins	Aull	Berry
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Carlson	Carter	Casey	Cierpiot
Colona	Cookson	Crawford	Davis	Denison
Dugger	Ellinger	Fallert	Fisher	Flanigan
Fuhr	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Hughes	Hummel	Jones 63	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Kratky	Lair
Lampe	Largent	Leach	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Nance	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Richardson	Rizzo	Schad	Schieffer
Schupp	Sifton	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webb	Webber	Wells
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Guernsey	Lant	Leara	Meadows
Peters-Baker	Sater	Zimmerman		

VACANCIES: 001

HCS HB 468, relating to economic incentives for jobs, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 468** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 007

Bahr	Brattin	Dugger	Koenig	Marshall
Pollock	Wells			

1167 *Journal of the House*

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 010

Day	Entlicher	Guernsey	Lant	Leara
McNeil	Meadows	Peters-Baker	Sater	Zimmerman

VACANCIES: 001

Representative Franz declared the bill passed.

HB 677, relating to vision examinations for students, was taken up by Representative Wells.

On motion of Representative Wells, **HB 677** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Ellinger	Kirkton
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PRESENT: 002

Swinger Mr Speaker

ABSENT WITH LEAVE: 012

Brown 50	Day	Dieckhaus	Entlicher	Guernsey
Lant	Leara	McNeil	Meadows	Peters-Baker
Sater	Zimmerman			

VACANCIES: 001

Representative Franz declared the bill passed.

HB 737, relating to hydroelectric power, was taken up by Representative Redmon.

On motion of Representative Redmon, **HB 737** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Cierpiot	Day	Dieckhaus	Entlicher	Guernsey
Lant	Leara	McNeil	Meadows	Peters-Baker
Sater	Zimmerman			

VACANCIES: 001

Representative Franz declared the bill passed.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 721 - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 650 - Crime Prevention and Public Safety
HB 720 - General Laws
HB 793 - Children and Families
HB 816 - Children and Families
HB 817 - Children and Families
HB 865 - Transportation
HB 870 - Elementary and Secondary Education
HB 875 - Crime Prevention and Public Safety
HB 876 - Workforce Development and Workplace Safety
HB 877 - Utilities
HB 883 - Crime Prevention and Public Safety
HB 885 - Ways and Means
HB 891 - Ways and Means
HB 894 - Professional Registration and Licensing
HB 903 - Elementary and Secondary Education
HB 909 - Judiciary
HB 913 - Crime Prevention and Public Safety
HB 914 - Special Standing Committee on Disability Services
HB 915 - General Laws
HB 927 - Crime Prevention and Public Safety
HB 931 - General Laws
HB 935 - General Laws
HB 943 - Economic Development
HB 945 - Transportation
HB 948 - Crime Prevention and Public Safety

HB 949 - Economic Development
HB 950 - Special Standing Committee on Disability Services
HB 951 - Economic Development
HB 953 - Ways and Means
HB 961 - Transportation
HB 968 - Tax Reform
HB 971 - Higher Education
HB 972 - Economic Development
HB 974 - Elections
HB 980 - Elementary and Secondary Education
HB 981 - Elementary and Secondary Education
HB 985 - Crime Prevention and Public Safety
HB 987 - Local Government
HB 990 - Agriculture Policy
HB 992 - Tourism and Natural Resources
HB 996 - Local Government
HB 999 - Crime Prevention and Public Safety
HB 1002 - General Laws
HB 1003 - Emerging Issues in Animal Agriculture
HB 1006 - Special Standing Committee on Renewable Energy
HB 1011 - Crime Prevention and Public Safety
HB 1018 - Financial Institutions
HB 1027 - Special Standing Committee on Disability Services

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 226 - General Laws

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SCS SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 446**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 219**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, civil aviation plays a pivotal role in promoting cultural exchange, business, trade, and tourism; and

WHEREAS, to develop international civil aviation in a safe and orderly manner is the supreme cause of the International Civil Aviation Organization (ICAO); and

WHEREAS, Taiwan is the world's 20th largest economy, 18th largest trading country, and a key air transport hub linking Northeast and Southeast Asia; and

WHEREAS, in December 2008, Taiwan and China resumed direct flights, shipping, and postal service which ended a ban that had been in place since 1949. Direct flights operated exclusively by Taiwanese and Chinese carriers more than doubled after the ban was lifted; and

WHEREAS, over 174,000 international flights travel to and from Taiwan, with foreign passengers making approximately 4.8 million trips to the island every year, and over 35 million passengers, including 29 million passengers on international flights, arrived and departed from Taiwan's airports in 2009; and

WHEREAS, remodeling of one of Taiwan's two international airports will be completed in the fall of 2011 to help absorb the nearly threefold surge in tourist arrivals from China which is expected to exceed one million in 2010; and

WHEREAS, without Taiwan's participation, international flight plans, regulations, and procedures that ICAO formulates will be incomplete; and

WHEREAS, in the 1994 Taiwan Policy Review, the United States declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, the State of Missouri and Taiwan have entered into Sister State relationship since 1980, with both sides highly regarding this mutually beneficial link:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby endorses an observer status for Taiwan in the International Civil Aviation Organization; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Secretary of State, the United States Secretary of Transportation, each member of the Missouri Congressional delegation, and the Director-General of the Taipei Economic and Cultural Office in Kansas City, Missouri.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 403**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 466**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 121**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 138**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 211**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 303 & 239**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 305**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 357**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 562**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 656**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 664**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 828**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS-APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 17, introduced by Representative Silvey, to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

HB 18, introduced by Representative Silvey, to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

HB 21, introduced by Representative Silvey, to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

HB 22, introduced by Representative Silvey, to appropriate money for the purpose of funding state government.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 9**, entitled:

An act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 29**, entitled:

An act to repeal sections 338.010, 338.140, 338.150, 338.210, 338.220, and 338.240, RSMo, and to enact in lieu thereof six new sections relating to veterinary legend drugs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 54**, entitled:

An act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof eighteen new sections relating to protecting children from sexual offenders, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 59**, entitled:

An act to repeal section 456.5-505, RSMo, and to enact in lieu thereof three new sections relating to fiduciaries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 60**, entitled:

An act to repeal sections 404.710, 456.3-301, 456.8-813, 469.411, 469.437, and 469.459, RSMo, and to enact in lieu thereof six new sections relating to fiduciaries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 65**, entitled:

An act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 70**, entitled:

An act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 81**, entitled:

An act to amend chapter 162, RSMo, by adding thereto one new section relating to fine arts education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 90**, entitled:

An act to repeal sections 103.080 and 103.089, RSMo, and to enact in lieu thereof two new sections relating to the state employee health insurance program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 116**, entitled:

An act to repeal sections 210.844, 454.850, 454.853, 454.855, 454.857, 454.860, 454.862, 454.865, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.882, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.900, 454.902, 454.905, 454.907, 454.910, 454.912, 454.915, 454.917, 454.920, 454.922, 454.927, 454.930, 454.932, 454.934, 454.936, 454.938, 454.941, 454.943, 454.946, 454.948, 454.951, 454.953, 454.956, 454.958, 454.961, 454.963, 454.966, 454.968, 454.971, 454.973, 454.976, 454.978, 454.981, 454.983, 454.986, 454.989, 454.991, 454.993, 454.995, and 454.999, RSMo, and to enact in lieu thereof eighty new sections relating to the uniform interstate family support act, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 117**, entitled:

An act to repeal section 144.032, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 118**, entitled:

An act to repeal section 198.074, RSMo, and to enact in lieu thereof one new section relating to sprinkler system requirements in long-term care facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 147**, entitled:

An act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to the school accountability report card.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 165**, entitled:

An act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 177**, entitled:

An act to repeal sections 630.053, 630.095, and 630.167, RSMo, and to enact in lieu thereof three new sections relating to the department of mental health.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 202**, entitled:

An act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 237**, entitled:

An act to repeal section 484.350, RSMo, and to enact in lieu thereof one new section relating to standards for representation of children by guardians ad litem.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 351**, entitled:

An act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 356**, entitled:

An act to repeal sections 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof four new sections relating to grain sale and storage, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 366**, entitled:

An act to amend chapter 351, RSMo, by adding thereto seventy-seven new sections relating to the Missouri cooperative associations act, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 368**, entitled:

An act to repeal sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010, RSMo, and to enact in lieu thereof fifteen new sections relating to the state land survey program, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 394 & 331**, entitled:

An act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 11, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 185

Executive session may be held on any matter referred to the committee.

We will also have a work session on an omnibus bill.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 11, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 875, HB 883

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 12, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: SB 282

Executive session will be held: HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

Breakfast will not be provided this week.

FISCAL REVIEW

Monday, April 11, 2011, 2:00 PM House Hearing Room 5.

Executive session will be held: HB 291, HCS HB 840

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Monday, April 11, 2011, 2:30 PM House Hearing Room 7.

Executive session will be held: HB 364

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 5.

Executive session will be held: HB 552

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 12, 2011, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 971

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 11, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: SCS SB 166, HB 899

Executive session may be held on any matter referred to the committee.

RULES

Monday, April 11, 2011, 3:45 PM House Hearing Room 6.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, April 11, 2011, 3:45 PM House Hearing Room 6.

Executive session will be held: HCR 42, HCS HBs 253 & 398, HB 466, HCS HB 523,

HCS HB 643, HB 708, HCS HB 773, HB 1008, SS SCS SBs 113 & 95, SCS SB 188

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, April 11, 2011, 2:00 PM House Hearing Room 1.

Executive session will be held: HB 267, HB 839, HB 716

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 880

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, April 11, 2011, House Hearing Room 5, 5:00 PM or upon adjournment.

Executive session will be held: HB 208

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 11, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 8

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SECOND DAY, MONDAY, APRIL 11, 2011

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

- 1 HB 17 and HB 18
- 2 HB 21 and HB 22

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig
- 3 HCS HJR 5 - Pollock

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 111 - Cox
- 7 HCS HBs 223 & 231 - Wallingford
- 8 HCS HB 401 - Diehl
- 9 HCS HB 407 - Wieland
- 10 HCS HB 430 - Burlison
- 11 HCS HB 464 - McNary
- 12 HCS HB 555 - Grisamore
- 13 HB 591 - Lichtenegger
- 14 HB 655 - Lampe
- 15 HCS HB 657 - Allen

1181 *Journal of the House*

- 16 HCS HB 697 - Smith (150)
- 17 HCS HB 121 - Dugger
- 18 HCS HB 161 - Cox
- 19 HB 211 - Koenig
- 20 HB 257 - Cox
- 21 HCS HBs 303 & 239 - Davis
- 22 HB 305 - Gatschenberger
- 23 HB 357 - Leara
- 24 HCS HB 366 - Silvey
- 25 HCS HB 562 - Grisamore
- 26 HCS HB 579 - Frederick
- 27 HB 656 - Brandom
- 28 HB 661 - Wells
- 29 HCS HB 664 - Leara

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 3 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 291, (Fiscal Review 4-6-11) - Denison
- 2 HCS HB 840, (Fiscal Review 4-6-11) - Jones (117)

SENATE BILLS FOR SECOND READING

- 1 SS SB 9
- 2 SCS SB 29
- 3 SCS SB 54
- 4 SB 59
- 5 SCS SB 60
- 6 SS SCS SB 65
- 7 SS SCS SB 70
- 8 SCS SB 81
- 9 SB 90
- 10 SB 116
- 11 SCS SB 117

12 SS SB 118
13 SB 147
14 SB 165
15 SCS SB 177
16 SS SB 202
17 SB 237
18 SS SCS SB 351
19 SCS SB 356
20 SCS SB 366
21 SCS SB 368
22 SCS SBs 394 & 331

HOUSE CONCURRENT RESOLUTIONS

HCS HCR 23, (3-9-11, Pages 570-572) - Faith

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SECOND DAY, MONDAY, APRIL 11, 2011

The House met pursuant to adjournment.

Representative Silvey in the Chair.

Prayer by Reverend Ned Nugent, First Baptist Church, Bethany, Missouri.

Father, I lift up to You today these men and women who have been called and elected to this place to serve the people of Missouri. It is an honor and privilege to gather in this place, under the flag of freedom that so many have shed their blood for. We remember them as we enjoy the liberty that was purchased by the lives of so many. I thank You Lord for your leadership in this great nation, in the state of Missouri, and for these leaders assembled here today.

I ask You today to be ever present in the discussions that ensue throughout this session, and that You place Your watch and care over each and every man and woman here in this room and all of those working so diligently throughout our great state. I pray that You, O Lord, would indeed be our leader and our guide, giving wisdom and discernment to these men and women as they begin to meet and discuss many issues; may You always remain and be the center of all things that take place.

Please give these men and women rest as they need it, shield them, protect them, and use them in great and mighty ways as they begin to strive to ensure the people of Missouri are given voice in our government. I pray that our desire is always to bring You glory by all that is said and done. Father, may our passion be to preserve the integrity of truth, justice, and honor in a way that reflects Your will and desire. Be ever present, Lord, in this place.

We ask this, Father, in Your Son's name, Jesus Christ, Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-first day was approved as printed.

SPECIAL RECOGNITION

Tyler White of Reeds Spring High School was introduced by Representative Phillips and recognized for attaining the Class 2 Missouri State Wrestling Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1847 through House Resolution No. 1982

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 17, HB 18, HB 21 and HB 22 were read the second time.

SECOND READING OF SENATE BILLS

SS SB 9, SCS SB 29, SCS SB 54, SB 59, SCS SB 60, SS SCS SB 65, SS SCS SB 70, SCS SB 81, SB 90, SB 116, SCS SB 117, SS SB 118, SB 147, SB 165, SCS SB 177, SS SB 202, SB 237, SS SCS SB 351, SCS SB 356, SCS SB 366, SCS SB 368 and SCS SBs 394 & 331 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 291** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 840** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 3, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HJR 3** was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McDonald	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 035

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Harris	Hughes	Hummel	Jones 63
Kander	Kirkton	Kratky	McCann Beatty	McGeoghegan
McManus	McNeil	Montecillo	Newman	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Swearingen	Talboy	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Faith	Franklin	Funderburk	Largent
Meadows	Zimmerman			

VACANCIES: 001

Representative Silvey declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 291, relating to motor vehicle windshield stickers, was taken up by Representative Denison.

On motion of Representative Denison, **HB 291** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer

Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 004

Conway 14	Keeney	Lasater	Wyatt
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PRESENT: 000

ABSENT WITH LEAVE: 009

Dieckhaus	Faith	Franklin	Funderburk	Hough
Hughes	Meadows	Stream	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

HCS HB 840, relating to the Aerotropolis Trade Incentive and Tax Credit Act, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 840** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Day	Denison	Diehl	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 014

Bahr	Brattin	Burlison	Curtman	Davis
Dugger	Keeney	Kirkton	Koenig	Leach
Marshall	Oxford	Quinn	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 006

Dieckhaus	Franklin	Funderburk	Guernsey	Meadows
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS#2 HB 609, relating to the Show-me Health Insurance Exchange, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS#2 HB 609** was adopted.

On motion of Representative Molendorp, **HCS#2 HB 609** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 111, relating to judicial procedures, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 111, Page 4, Section 56.089, Line 93, by inserting after all of said line the following:

“15. Notwithstanding any provision of this section to the contrary, a prosecuting attorney shall not utilize a prosecution diversion program when the accused’s participation in such a program will prevent a conviction from appearing on the driving record of a commercial driver’s license holder in violation of Title 49 Code of Federal Regulations, Section 384.226, as amended.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 111, Page 30, Section 571.092, Line 1, by deleting the phrase “**over the age of eighteen years**”; and

Further amend said page and section, Line 11, by inserting immediately after the word “**include**” the phrase “**and the court shall consider**”; and

Further amend said page and section, Line 23, by deleting the phrase “**a preponderance of**” and inserting in lieu thereof the phrase “**clear and convincing**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 111, Page 1, Line 8, by inserting after all of said line the following:

‘Further amend said bill, Page 30, Section 571.092, Line 12, by inserting after the word “**firearms**” the word “**related**”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Cox, **House Amendment No. 2, as amended**, was adopted.

Representative Franz offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 111, Page 4, Section 56.089, Line 93, by inserting after all of said section and line the following:

“211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190, shall have exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child or person seventeen years of age, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child or person seventeen years of age shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody or support; or

(c) The child or person seventeen years of age was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child or person seventeen years of age is a child in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen [and one-half] years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child or person seventeen years of age to the guardianship of the department of social services as provided by law.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person seventeen years of age who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child or person seventeen years of age may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person seventeen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child or person seventeen years of age under the supervision of another juvenile court within or without the state pursuant to section 210.570, with the consent of the receiving court;

(5) Upon motion of any child or person seventeen years of age or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri Supreme Court Rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or person seventeen years of age, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child or person seventeen years of age taken into custody in a county other than the county of the child's residence or the residence of a person seventeen years of age, the juvenile court of the county of the child's residence or the residence of a person seventeen years of age shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031, involving a child who alleges to be home schooled, the juvenile officer

shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031, before making a report of such a violation. Any report of a violation of section 167.031, made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

Representative Cauthorn offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 111, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

“11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual. **The official manual shall include information such as the biographies of elected members of the executive, legislative and judicial branches of state government.**

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 4** was adopted.

Representative Riddle offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 111, Page 30, Section 557.011, Line 39, by inserting directly after said section and line the following:

“**571.063. 1. As used in this section the following terms shall mean:**

- (1) "Ammunition", any cartridge, shell, or projectile designed for use in a firearm;
- (2) "Licensed dealer", a person who is licensed under 18 U.S.C. Section 923 to engage in the business of dealing in firearms;
- (3) "Materially false information", any information that portrays an illegal transaction as legal or a legal transaction as illegal;
- (4) "Private seller", a person who sells or offers for sale any firearm, as defined in section 571.010, or ammunition.

2. A person commits the crime of fraudulent purchase of a firearm if such person:

- (1) Knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States; or

(2) Provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition; or

(3) Willfully procures another to violate the provisions of subdivision (1) or (2) of this subsection.

3. Fraudulent purchase of a firearm is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 5** was adopted.

Representative Oxford offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 111, Page 27, Section 516.140, Line 7, by inserting after all of said line the following:

"537.528. 1. Any action [seeking money damages] against a person for conduct or speech undertaken or made in connection with a public hearing or public meeting, in a quasi-judicial proceeding before a tribunal or decision-making body of the state or any political subdivision of the state is subject to a special motion to dismiss, motion for judgment on the pleadings, or motion for summary judgment that shall be considered by the court on a priority or expedited basis to ensure the early consideration of the issues raised by the motion and to prevent the unnecessary expense of litigation. Upon the filing of any special motion described in this subsection, all discovery shall be suspended pending a decision on the motion by the court and the exhaustion of all appeals regarding the special motion.

2. If the rights afforded by this section are raised as an affirmative defense and if a court grants a motion to dismiss, a motion for judgment on the pleadings or a motion for summary judgment filed within ninety days of the filing of the moving party's answer, the court shall award reasonable attorney fees and costs incurred by the moving party in defending the action. If the court finds that a special motion to dismiss or motion for summary judgment is frivolous or solely intended to cause unnecessary delay, the court shall award costs and reasonable attorney fees to the party prevailing on the motion.

3. Any party shall have the right to an expedited appeal from a trial court order on the special motions described in subsection 2 of this section or from a trial court's failure to rule on the motion on an expedited basis.

4. As used in this section, a "public meeting in a quasi-judicial proceeding" means and includes any meeting established and held by a state or local governmental entity, including without limitations meetings or presentations before state, county, city, town or village councils, planning commissions, review boards or commissions.

5. Nothing in this section limits or prohibits the exercise of a right or remedy of a party granted pursuant to another constitutional, statutory, common law or administrative provision, including civil actions for defamation.

6. If any provision of this section or the application of any provision of this section to a person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this section that can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

7. The provisions of this section shall apply to all causes of actions.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Oxford, **House Amendment No. 6** was adopted.

Representative Barnes offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 111, Page 6, Section 221.105, Line 46, by deleting all of said line and inserting in lieu thereof the following:

“reimburse the county for any costs associated with electronic monitoring not to exceed twelve dollars per day per individual, subject to appropriations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 7** was adopted.

Representative Schneider offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 111, Page 26, Section 475.555, Line 5, by inserting after said line the following:

“479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality.

The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's [seventy-fifth] **seventy-eighth** birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 8** was adopted.

Representative Ruzicka offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 111, Page 26, Section 488.432, Line 11, by inserting immediately after said section and line the following:

“488.5026. 1. [Upon approval of the governing body of a city, county, or a city not within a county,] A surcharge of two dollars shall be assessed **and collected** as costs in each court proceeding filed in any court in any city, county, or city not within a county [adopting such a surcharge,] in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate Security Fund". Funds deposited shall be utilized to develop **information sharing and** biometric verification systems to ensure that inmates can be properly identified **upon booking** and tracked within the local jail **and criminal justice** system. Upon the installation of the **information sharing and** biometric verification system, funds in the inmate security fund may be used for the maintenance of the **information sharing and** biometric verification system, and to pay for any expenses related to custody and housing and other expenses for prisoners.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 9** was adopted.

Representative Kander offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 111, Page 1, In the Title, Lines 3 and 4, by deleting the word and number "and 557.011" and inserting in lieu thereof the word and numbers "557.011, and 574.105"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 1, Section A, Lines 2 and 3, by deleting the word and number "and 557.011" and inserting in lieu thereof the word and numbers "557.011, and 574.105"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word and number "and 557.011" and inserting in lieu thereof the word and numbers "557.011, and 574.105"; and

Further amend said bill, Page 31, Section 571.092, Line 56, by inserting after all of said line the following:

"574.105. 1. As used in this section, the following terms mean:

- (1) "Conducts", initiating, concluding or participating in initiating or concluding a transaction;
- (2) "Criminal activity", any act or activity constituting an offense punishable as a felony pursuant to the laws of Missouri or the United States;

(3) "[Currency] **Monetary instrument**", currency and coin of the United States **or any other country, travelers' checks, personal checks, bank checks, money orders, investment securities, and any other type or form of negotiable instrument**;

(4) "[Currency] **Monetary instrument** transaction", a transaction involving the physical transfer of [currency] **monetary instrument** from one person to another[. A transaction which is a transfer of funds by means of] **by any means, including but not limited to** bank check, bank draft, wire transfer or other written order[, and which does not include the physical transfer of currency is not a currency transaction];

(5) "Person", natural persons, partnerships, trusts, estates, associations, corporations and all entities cognizable as legal personalities.

2. A person commits the crime of money laundering if he:

(1) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to promote or aid the carrying on of criminal activity; or

(2) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to conceal or disguise in whole or in part the nature, location, source, ownership or control of the proceeds of criminal activity; or

(3) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to avoid [currency] **monetary instrument** transaction reporting requirements under federal law; or

(4) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to promote or aid the carrying on of criminal activity for the purpose of furthering or making a terrorist threat or act.

3. The crime of money laundering is a class B felony and in addition to penalties otherwise provided by law, a fine of not more than five hundred thousand dollars or twice the amount involved in the transaction, whichever is greater, may be assessed."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

On motion of Representative Kander, **House Amendment No. 10** was adopted.

On motion of Representative Cox, **HCS HB 111, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 111, as amended**, was ordered perfected and printed.

HCS HBs 223 & 231, relating to higher education financial programs, was taken up by Representative Wallingford.

Representative McNeil offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 223 & 231, Page 1, Section A, Line 3, by inserting after all of said line the following:

"172.803. 1. The board of curators, with the recommendations of the advisory board, shall award funds to selected investigators in accordance with the following provisions:

(1) Individual awards shall not exceed [thirty] **fifty** thousand dollars per year and shall expire at the end of one or two years, depending on the recommendation of the advisory board for each award;

(2) Costs for overhead of the grantee individual or institution shall not be allowed;

(3) Investigators shall be employees or staff members of public or private educational, health care, voluntary health association or research institutions which shall specify the institutional official responsible for administration of the award;

(4) Subject to the provisions of subsection 3 of section 172.801, preference shall be given to investigators new to the field of Alzheimer's disease and related disorders and to those experienced in the field but departing in a research

direction different from their previous work. Lesser preference shall be given to proposals to sustain meritorious research in progress;

(5) Awards shall be used to obtain preliminary data to test hypotheses and to enable investigators to develop subsequent competitive applications for long-term funding from other sources; and

(6) The research project shall be conducted in Missouri.

2. Funds appropriated for but not awarded to research projects in any given year shall be included in the board of curators' appropriations request for research projects in the succeeding year."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cox raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Parkinson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative McNeil moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Wallingford, **HCS HBs 223 & 231** was adopted.

On motion of Representative Wallingford, **HCS HBs 223 & 231** was ordered perfected and printed.

HCS HB 430, relating to transportation, was taken up by Representative Burlison.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 430, Page 3, Section 304.289, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Jones (63) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 430, Pages 1 and 2, Section 301.3084, Lines 1 to 33, by deleting all of said lines and inserting in lieu thereof the following:

"301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole

purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. **Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a "Breast Cancer Awareness" license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "Breast Cancer Awareness" license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the "Breast Cancer Awareness" plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "Breast Cancer Awareness" plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] **The "Breast Cancer Awareness" license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol,] and shall bear the words ["MISSOURI WOMEN'S COUNCIL"] BREAST CANCER AWARENESS** in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. There is hereby created in the state treasury the "Breast Cancer Awareness Fund" which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.

5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.

6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 2** was adopted.

Representative Houghton offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 430, Page 2, Section 301.3084, Line 33, by inserting after all of said section and line the following:

“301.4036. 1. Notwithstanding any other provision of law, any member of the National Wild Turkey Federation, after an annual payment of an emblem-use fee to the National Wild Turkey Federation, may receive personalized specialty license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Wild Turkey Federation hereby authorizes the use of its official emblem to be affixed on multiyear personalized specialty license plates as provided in this section. Any contribution to the National Wild Turkey Federation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Wild Turkey Federation. Any member of the National Wild Turkey Federation may annually apply for the use of the emblem.

2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the National Wild Turkey Federation, the National Wild Turkey Federation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a personalized specialty license plate which shall bear the emblem of the National Wild Turkey Federation. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.

3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schatz offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 430, Page 1, Line 4, by inserting immediately before **“301.4036”** the following:

“301.3145. 1. Any member of the National Rifle Association, after an annual payment of an emblem-use authorization fee to the National Rifle Association, may receive special license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Rifle Association hereby authorizes the use of

its official emblem to be affixed on multi-year personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the National Rifle Association derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Rifle Association. Any member of the National Rifle Association may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the National Rifle Association, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special license plate which shall bear the emblem of the National Rifle Association and the words "National Rifle Association" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner who was previously issued a plate with the National Rifle Association emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGeoghegan	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Peters-Baker	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Taylor	Thomson

Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 019

Carlson	Carter	Colona	Hughes	Jones 63
Kirkton	May	McCann Beatty	Montecillo	Newman
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Cross	Day	Dieckhaus	Franklin	Funderburk
Holsman	Leara	McGhee	McNeil	Meadows
Still	Zimmerman			

VACANCIES: 001

On motion of Representative Houghton, **House Amendment No. 3, as amended**, was adopted by the following vote:

AYES: 132

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 017

Carlson	Carter	Colona	Hughes	Kirkton
May	Montecillo	Newman	Oxford	Pace
Rizzo	Schupp	Sifton	Smith 71	Spreng
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 013

Anders	Cross	Day	Dieckhaus	Franklin
Franz	Funderburk	Holsman	Leara	McGhee
Meadows	Schad	Zimmerman		

VACANCIES: 001

Representative Riddle offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 430, Page 2, Section 301.3084, Line 33, by inserting after all of said section and line the following:

“302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. **Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101. The fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a period of three years or less.** The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license.

In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a U.S. citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph, shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536.”; and

Further amend said bill, Page 13, Section 537.293, Line 13, by inserting after all of said section and line the following:

“571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, canceled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

- (1) Is at least twenty-three years of age, is a citizen of the United States and either:
 - (a) Has assumed residency in this state; or
 - (b) Is a member of the armed forces stationed in Missouri, or the spouse of such member of the military;
- (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
- (4) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (5) Has not been discharged under dishonorable conditions from the United States armed forces;
- (6) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
- (7) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
- (8) Submits a completed application for a certificate of qualification as defined in subsection 3 of this section;
- (9) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- (10) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

- (1) The applicant's name, address, telephone number, gender, and date and place of birth;
- (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is a citizen of the United States;
- (3) An affirmation that the applicant is at least twenty-three years of age;
- (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;
- (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States armed forces;
- (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state

pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration.

The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. **Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section.** The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of

revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Tilley assumed the Chair.

Representative Hughes raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order untimely.

On motion of Representative Riddle, **House Amendment No. 4** was adopted.

On motion of Representative Burlison, **HCS HB 430, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 430, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 17 - Budget

HB 18 - Budget

HB 21 - Budget

HB 22 - Budget

HB 785 - Judiciary

HB 994 - Elementary and Secondary Education

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 165 - Judiciary

COMMITTEE REPORTS

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS#2 SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 300, 334 & 387**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 523**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 643**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 708**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SBs 113 & 95**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 188**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 163**, entitled:

An act to repeal sections 288.040, 288.062, and 288.398, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with an emergency clause.

With Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 11, Section 288.040, Line 16 of said page, by inserting after all of said line the following:

"288.060. 1. All benefits shall be paid through employment offices in accordance with such regulations as the division may prescribe.

2. Each eligible insured worker who is totally unemployed in any week shall be paid for such week a sum equal to his or her weekly benefit amount.

3. Each eligible insured worker who is partially unemployed in any week shall be paid for such week a partial benefit. Such partial benefit shall be an amount equal to the difference between his or her weekly benefit amount and that part of his or her wages for such week in excess of twenty dollars, and, if such partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest lower full dollar amount. For calendar year 2007 and each year thereafter, such partial benefit shall be an amount equal to the difference between his or her weekly benefit amount and that part of his or her wages for such week in excess of twenty dollars or twenty percent of his or her weekly benefit amount, whichever is greater, and, if such partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest lower full dollar amount. Termination pay, severance pay or pay received by an eligible insured worker who is a member of the organized militia for training or duty authorized by Section 502(a)(1) of Title 32, United States Code, shall not be considered wages for the purpose of this subsection.

4. The division shall compute the wage credits for each individual by crediting him or her with the wages paid to him or her for insured work during each quarter of his or her base period or twenty-six times his or her weekly benefit amount, whichever is the lesser. In addition, if a claimant receives wages in the form of termination pay or severance pay and such payment appears in a base period established by the filing of an initial claim, the claimant may, at his or her option, choose to have such payment included in the calendar quarter in which it was paid or choose to have it prorated equally among the quarters comprising the base period of the claim. The maximum total amount of benefits payable to any insured worker during any benefit year shall not exceed [twenty-six] **twenty** times his or her weekly benefit amount, or thirty-three and one-third percent of his or her wage credits, whichever is the lesser. For the purpose

of this section, wages shall be counted as wage credits for any benefit year, only if such benefit year begins subsequent to the date on which the employing unit by whom such wages were paid has become an employer. The wage credits of an individual earned during the period commencing with the end of a prior base period and ending on the date on which he or she filed an allowed initial claim shall not be available for benefit purposes in a subsequent benefit year unless, in addition thereto, such individual has subsequently earned either wages for insured work in an amount equal to at least five times his or her current weekly benefit amount or wages in an amount equal to at least ten times his or her current weekly benefit amount.

5. In the event that benefits are due a deceased person and no petition has been filed for the probate of the will or for the administration of the estate of such person within thirty days after his or her death, the division may by regulation provide for the payment of such benefits to such person or persons as the division finds entitled thereto and every such payment shall be a valid payment to the same extent as if made to the legal representatives of the deceased.

6. The division is authorized to cancel any benefit warrant remaining outstanding and unpaid one year after the date of its issuance and there shall be no liability for the payment of any such benefit warrant thereafter.

7. The division may establish an electronic funds transfer system to transfer directly to claimants' accounts in financial institutions benefits payable to them pursuant to this chapter. To receive benefits by electronic funds transfer, a claimant shall satisfactorily complete a direct deposit application form authorizing the division to deposit benefit payments into a designated checking or savings account. Any electronic funds transfer system created pursuant to this subsection shall be administered in accordance with regulations prescribed by the division.

8. The division may issue a benefit warrant covering more than one week of benefits.

9. Prior to January 1, 2005, the division shall institute procedures including, but not limited to, name, date of birth, and Social Security verification matches for remote claims filing via the use of telephone or the Internet in accordance with such regulations as the division shall prescribe. At a minimum, the division shall verify the Social Security number and date of birth when an individual claimant initially files for unemployment insurance benefits. If verification information does not match what is on file in division databases to what the individual is stating, the division shall require the claimant to submit a division-approved form requesting an affidavit of eligibility prior to the payment of additional future benefits. The division of employment security shall cross-check unemployment compensation applicants and recipients with Social Security Administration data maintained by the federal government at least weekly. The division of employment security shall cross-check at least monthly unemployment compensation applicants and recipients with department of revenue drivers license databases."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 22, Section 288.398, Line 12, by striking the opening and closing brackets on said line; and

Further amend Line 13, by striking the word "shall".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 36**, entitled:

An act to repeal section 41.1000, RSMo, and to enact in lieu thereof one new section relating to leave for members of the civil air patrol, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 213**, entitled:

An act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 241**, entitled:

An act to repeal sections 144.010, 144.020, 144.030, and 144.070, RSMo, and to enact in lieu thereof four new sections relating to sales tax exemptions for captive wildlife.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 268**, entitled:

An act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri boards of curators.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Franklin.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 12, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 185

Executive session may be held on any matter referred to the committee.

We will also have a work session on an omnibus bill.

BUDGET

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup: Capital Improvements, Maintenance & Repairs, and Reappropriations.

BUDGET

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.

CHILDREN AND FAMILIES

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 509, HB 793, HB 816, HCR 45

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 999

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 12, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: HB 949, HB 943

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 12, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: SB 282

Executive session will be held: HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

Breakfast will not be provided this week.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 763, SS SCS SB 13, SB 243, HB 994

Executive session may be held on any matter referred to the committee.

Hearing will be continued upon afternoon adjournment in House Hearing Room 2.

AMENDED

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, April 12, 2011, House Hearing Room 1 upon afternoon adjournment.

Public hearing will be held: HB 1003

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

GENERAL LAWS

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 61, SB 174, SS SB 226

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 57, SB 38

Executive session will be held: SCS SB 17, SB 284, SS#2 SCS SB 62

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 5.

Executive session will be held: HB 552

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 12, 2011, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 971

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 96, SB 97, HB 917

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2011, House Hearing Room 5,

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 863, HB 367, HB 769, HB 553

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 13, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner - upon afternoon adjournment.

TAX REFORM

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 880

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 945, HB 961

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 750, HB 722

Executive session may be held on any matter referred to the committee.

Executive session to be held first; public hearings to follow.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 13, 2011, House Hearing Room 5 upon afternoon adjournment.

Executive session will be held: HB 893

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 12, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig
- 3 HCS HJR 5 - Pollock

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HCS HB 407 - Wieland
- 8 HCS HB 464 - McNary
- 9 HCS HB 555 - Grisamore
- 10 HB 591 - Lichtenegger
- 11 HB 655 - Lampe
- 12 HCS HB 657 - Allen
- 13 HCS HB 697 - Smith (150)
- 14 HCS HB 121 - Dugger
- 15 HCS HB 161 - Cox
- 16 HB 211 - Koenig
- 17 HB 257 - Cox
- 18 HCS HBs 303 & 239 - Davis
- 19 HB 305 - Gatschenberger
- 20 HB 357 - Leara
- 21 HCS HB 366 - Silvey
- 22 HCS HB 562 - Grisamore
- 23 HCS HB 579 - Frederick
- 24 HB 656 - Brandom

1212 *Journal of the House*

- 25 HB 661 - Wells
- 26 HCS HB 664 - Leara
- 27 HCS HBs 300, 334 & 387 - Gatschenberger
- 28 HB 466 - Schoeller
- 29 HCS HB 523 - Molendorp
- 30 HCS HB 643 - May
- 31 HB 708 - Curtman
- 32 HCS HB 773 - Gosen
- 33 HB 1008 - Long

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

SENATE BILLS FOR SECOND READING

- 1 SB 36
- 2 SCS SB 213
- 3 SB 241
- 4 SB 268

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 23, (3-9-11, Pages 570-572) - Faith
- 2 HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

SENATE BILLS FOR THIRD READING

- 1 SS SCS SBs 113 & 95 - Loehner
- 2 SCS SB 188 - Elmer

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 163, as amended, E.C. - Fisher

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-THIRD DAY, TUESDAY, APRIL 12, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let Thy mercy, O Lord, be upon us, according as we hope in Thee. (Psalm 33:22)

Eternal and Almighty God of our spirits, we pause in Your presence with heads bowed in prayer as we begin the demanding duties of this long day. Make Your Spirit real to us, for we need You, every hour we need You. Temptations and evil lose their powers when You are near us.

We come concerned by the spirit of our times, weighted down by economic worry, concerned by our failure to do what really needs to be done, tempted at times to give up - yet here we are. Give us the faith we need for this hour, the courage to do what is best for our state and the confidence to leave the results with You.

We recall our Missouri history today when Harry S Truman became the President of the United States in 1945. May his legacy and Missouri influence continue to have an impact in our world. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Meghan Baumer, Greg Mannino, Stephanie Kim, Arianna O'Shea, Morgan Jensen, Abby Schmitt and Luke Valtow.

The Journal of the fifty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1983 through House Resolution No. 2019

SECOND READING OF SENATE BILLS

SB 36, SCS SB 213, SB 241 and SB 268 were read the second time.

PERFECTION OF HOUSE BILLS

HB 591, relating to a limited dental teaching license, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **HB 591** was ordered perfected and printed.

HCS HB 697, relating to state agency administrative rules, was taken up by Representative Smith (150).

Representative Leara assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Franz	Funderburk	Guernsey	Lampe
Loehner	May	Meadows	Zimmerman	Mr Speaker

VACANCIES: 001

On motion of Representative Smith (150), **HCS HB 697** was adopted.

On motion of Representative Smith (150), **HCS HB 697** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTION

HCS HCR 23, relating to complete streets, was taken up by Representative Faith.

On motion of Representative Faith, **HCS HCR 23** was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 407, relating to certificates of insurance, was taken up by Representative Wieland.

On motion of Representative Wieland, **HCS HB 407** was adopted.

On motion of Representative Wieland, **HCS HB 407** was ordered perfected and printed.

HB 211, relating to lead abatement rules and regulations, was taken up by Representative Koenig.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 211, Page 1, Section 701.321, Line 1, by inserting the number “1.” after the section number, “**701.321.**” and further amending said line, by deleting the word, “**not**”; and

Further amend said bill, section, page, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the words, “**or enact rules or regulations relating to safe lead abatement practices.**”

2. A licensed lead abatement supervisor is required for each abatement project. The licensed lead abatement supervisor shall not be absent from the work site during all work site preparation, abatement activities and during post abatement cleanup of work areas, in excess of one hour in a work period of less than four hours or in excess of two hours in a work period of more than four hours.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Day	Dieckhaus	Funderburk	Holsman
Kander	Meadows	Scharnhorst	Schneider	Stream
Webber	Zimmerman			

VACANCIES: 001

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Faith
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Day	Dieckhaus	Fisher	Funderburk
McDonald	McNary	Meadows	Nasheed	Stream
Zimmerman	Mr Speaker			

VACANCIES: 001

On motion of Representative Koenig, **HB 211** was ordered perfected and printed.

HB 656, relating to payday loans, was taken up by Representative Brandom.

HB 656 was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILL

HB 257, relating to the Sentencing Advisory Commission, was taken up by Representative Cox.

On motion of Representative Cox, **HB 257** was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 5, relating to the right to hunt and fish, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 5, Page 1, Section 35, Line 1, by inserting immediately after the word “**fish**,” the word “**trap**,”; and

Further amend said bill, page and section, Lines 6-7, by deleting all of said lines and inserting in lieu thereof the following:

“**article IV of the Constitution of Missouri. Laws, rules, and**”; and

Further amend said bill, page and section, Line 9, by inserting immediately after the word “**fishing**” the following:

“**by traditionally approved devices and methods**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Smith (150) assumed the Chair.

On motion of Representative Pollock, **HCS HJR 5, as amended**, was adopted.

On motion of Representative Pollock, **HCS HJR 5, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HB 305, relating to a state employee retirement incentive, was taken up by Representative Gatschenberger.

Representative Lampe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 305, Page 3, Section 104.406, Line 51, by inserting after all of said line the following:

“104.1095. Notwithstanding any provision of this chapter to the contrary, beginning January 1, 2013, no member of the general assembly shall otherwise be eligible to receive a retirement benefit as a member of the general assembly provided under this chapter. This section shall not apply to any member who is receiving or eligible to receive benefits under the retirement system under this chapter or any other state retirement system as an employee of the state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Allen	Anders	Asbury	Aull	Black
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cookson	Curtman	Ellinger
Fallert	Fuhr	Grisamore	Harris	Hodges
Hoskins	Hughes	Jones 63	Kelley 126	Kirkton
Koenig	Kratky	Lampe	Largent	Lichtenegger
McCaherty	McCann Beatty	McDonald	McManus	McNeil
Molendorp	Montecillo	Neth	Newman	Nichols
Oxford	Peters-Baker	Pierson	Quinn	Riddle
Rizzo	Scharnhorst	Schieber	Schieffer	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Spreng	Stream	Swearingen	Talboy
Torpey	Wyatt	Zimmerman		

NOES: 087

Atkins	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 116	Cauthorn	Cierpiot	Conway 14
Conway 27	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Klippenstein	Korman	Lair	Lant
Lasater	Lauer	Leach	Loehner	Long
Marshall	May	McGeoghegan	McGhee	Nance
Pace	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater

1220 *Journal of the House*

Schad	Schatz	Shumake	Solon	Still
Swinger	Thomson	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Dieckhaus	Funderburk	Holsman	Leara
McNary	Meadows	Nasheed	Nolte	Schneider
Taylor	Mr Speaker			

VACANCIES: 001

Representative Bernskoetter offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 305, Page 1, Section 104.405, Line 11, by deleting all of said line and inserting in lieu thereof the following:

“beginning in January of 2012 and each January thereafter until all five equal”; and

Further amend said bill, Page 2, Section 104.406, Lines 6 and 13, by deleting the word, **“September”** and inserting in lieu thereof the word, **“December”**; and

Further amend said section, Page 3, Line 44, by deleting the word, **“October”** and inserting in lieu thereof the word, **“December”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bernskoetter, **House Amendment No. 2** was adopted.

On motion of Representative Gatschenberger, **HB 305, as amended**, was ordered perfected and printed.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 163, as amended, relating to unemployment compensation, was taken up by Representative Fisher.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dugger	Elmer	Entlicher	Faith

Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Denison	Dieckhaus	Diehl	Funderburk
Holsman	Leara	Meadows	Nasheed	Schneider
Still	Mr Speaker			

VACANCIES: 001

On motion of Representative Fisher, **SS SCS HCS HB 163, as amended**, was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Diehl	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander

1222 *Journal of the House*

Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 015

Bahr	Brattin	Conway 14	Dugger	Franz
Gatschenberger	Guernsey	Koenig	Lasater	Marshall
Parkinson	Pollock	Sater	Schieber	Wells

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Denison	Dieckhaus	Funderburk	Leara
Meadows	Nasheed	Schneider	Mr Speaker	

VACANCIES: 001

On motion of Representative Fisher, **SS SCS HCS HB 163, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Diehl	Ellinger
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt

Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 013

Bahr	Brattin	Dugger	Entlicher	Gatschenberger
Guernsey	Koenig	Lasater	Marshall	Parkinson
Pollock	Sater	Schieber		

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Denison	Dieckhaus	Franz	Funderburk
Leara	Meadows	Nasheed	Schneider	Wells
Mr Speaker				

VACANCIES: 001

Representative Smith (150) declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Ellinger
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively

Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 013

Bahr	Brattin	Dugger	Entlicher	Franz
Gatschenberger	Guernsey	Koenig	Lasater	Marshall
Pollock	Schieber	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Dieckhaus	Diehl	Funderburk	Leara
Meadows	Parkinson	Mr Speaker		

VACANCIES: 001

PERFECTION OF HOUSE BILL

HB 656, relating to payday loans, was again taken up by Representative Brandom.

Representative Still offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 656, Page 2, Section 408.500, Lines 36 through 43, by deleting all of said lines and inserting in lieu thereof the following:

“6. [The lender shall renew the loan upon the borrower's written request and the payment of any interest and fees due at the time of such renewal; however, upon the first renewal of the loan agreement, and each subsequent renewal thereafter, the borrower shall reduce the principal amount of the loan by not less than five percent of the original amount of the loan until such loan is paid in full. However, no loan may be renewed more than six times.] **If a borrower has not paid the entire balance of the loan at the end of the original loan term a lender shall allow such borrower to pay any outstanding unsecured loan of five hundred dollars or less by means of an extended payment plan containing, at a minimum,**”; and

Further amend said section, Page 3, Lines 52 through 54, by deleting all of said lines and inserting in lieu thereof the words, “**without penalty**”; and

Further amend said section by renumbering accordingly; and

Further amend said bill, Page 4, Section 408.505, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

“term of fourteen days and a maximum term of thirty-one days[, regardless of whether the loan is an original loan or renewed loan].”; and

Further amend said page and section, Lines 15 through 17, by deleting all of said lines and inserting in lieu thereof the following:

“in excess of [seventy-five] **a simple annual rate not to exceed ninety-nine** percent [of the initial loan amount] on any single loan authorized pursuant to this section for the entire term of that loan [and all renewals] authorized by section 408.500 and this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 656, Page 6, Section 408.506, Line 9, by inserting after all of said line the following:

"408.507. 1. There is hereby established a pilot program within the division of finance within the department of insurance, financial institutions and professional registration which shall be administered by the division to develop a real-time statewide compliance system for payday lenders licensed under section 408.500 to record each payday loan transaction.

2. The division shall be charged with the following:

(1) Adopting rules governing the creation, structure, and use of the compliance system which shall include a real-time customer eligibility verification charge as necessary to maintain the system;

(2) Establishing requirements for the retention, archiving and purging of information entered into and stored by the system;

(3) Fully implementing the system by September 1, 2011; and

(4) Issuing a preliminary report to the general assembly by March 1, 2012, and a final report by June 1, 2012, documenting the usefulness of the system and the general compliance of licensees.

3. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. The provisions of this program authorized under this section shall sunset on August 31, 2012.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wells offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Bill No. 656, Page 2, Line 8, by deleting all of said line and inserting in lieu thereof the following:

“section shall sunset on August 31, 2012.

5. No fee exceeding ten cents per transaction shall be charged for the administration of the provisions of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Franz, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

HB 656, as amended, was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 8, as amended, with House Amendment No 2, pending, relating to the Missouri Jobs and Prosperity Act, was taken up by Representative Koenig.

Representative Davis offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Joint Resolution No. 8, Page 1, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

“Shall the Constitution of the State of Missouri be amended to phase-out the individual and corporate income tax; and enact a single, revenue-neutral sales and use tax on new purchases of goods and services; capped at seven percent; and exempt business purchases or investments, and to allow each Missouri citizen a sales tax rebate?”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Davis moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnes	Bernskoetter	Berry	Brown 50	Brown 85
Burlison	Cauthorn	Cookson	Crawford	Curtman
Davis	Day	Elmer	Faith	Fisher
Fitzwater	Franz	Frederick	Fuhr	Gatschenberger
Hampton	Hoskins	Houghton	Jones 89	Keeney
Kelley 126	Koenig	Lair	Lant	Leach
Lichtenegger	Long	Marshall	McCaherty	McGhee
McNary	Neth	Nolte	Parkinson	Pollock
Reiboldt	Richardson	Riddle	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Stream	Thomson	White	Wieland
Wright				

NOES: 094

Allen	Anders	Asbury	Atkins	Aull
Black	Brandom	Carlson	Carter	Casey
Cierpiot	Conway 27	Cox	Cross	Denison
Dugger	Ellinger	Entlicher	Fallert	Flanigan
Fraker	Franklin	Gosen	Grisamore	Harris
Higdon	Hinson	Hodges	Holsman	Hough
Hubbard	Hughes	Hummel	Johnson	Jones 63
Kander	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lampe	Largent	Lasater	Lauer
Leara	Loehner	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Rizzo	Rowland	Ruzicka
Sater	Schieffer	Schneider	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	Wyatt	Zerr	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Brattin	Brown 116	Colona	Conway 14
Dieckhaus	Diehl	Funderburk	Guernsey	Haefner
Jones 117	Mr Speaker			

VACANCIES: 001

Representative Koenig moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Allen	Barnes	Berry	Brandom	Brown 85
Burlison	Cookson	Crawford	Curtman	Davis
Day	Elmer	Faith	Fitzwater	Flanigan
Frederick	Gatschenberger	Hoskins	Houghton	Jones 89
Keeney	Kelley 126	Koenig	Lair	Lant
Leach	Lichtenegger	Long	Marshall	McCaherty
McNary	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Thomson	White
Wieland				

NOES: 098

Anders	Asbury	Atkins	Aull	Bernskoetter
Black	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Conway 27	Cox	Cross
Denison	Dugger	Ellinger	Entlicher	Fallert
Fisher	Fraker	Franklin	Franz	Fuhr

1228 *Journal of the House*

Gosen	Grisamore	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hough	Hubbard
Hughes	Hummel	Johnson	Jones 63	Kander
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lampe	Largent	Lasater	Lauer	Leara
Loehner	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Phillips	Pierson	Quinn	Rizzo
Rowland	Ruzicka	Sater	Schieffer	Schneider
Schupp	Shively	Sifton	Smith 71	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	Wright
Wyatt	Zerr	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bahr	Brattin	Brown 50	Colona	Conway 14
Dieckhaus	Diehl	Funderburk	Guernsey	Haefner
Jones 117	McGhee	Mr Speaker		

VACANCIES: 001

Representative McNeil offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Joint Resolution No. 8, Section 4(d), Page 1, Lines 8-9, by deleting all of said lines and inserting in lieu thereof the following:

“2. For all tax years beginning on or after January 1,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Brattin	Colona	Conway 14	Dieckhaus
Diehl	Funderburk	Guernsey	Haefner	Hinson
Holsman	Jones 117	McGhee	Mr Speaker	

VACANCIES: 001

Representative McNeil moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Zimmerman

NOES: 095

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick

1230 *Journal of the House*

Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Brattin	Colona	Conway 14	Dieckhaus
Diehl	Guernsey	Haefner	Hinson	Jones 117
McGhee	Mr Speaker			

VACANCIES: 001

HCS HJR 8, as amended, was laid over.

PERFECTION OF HOUSE BILL

HB 357, relating to enhanced enterprise zones, was taken up by Representative Leara.

On motion of Representative Leara, **HB 357** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1452 - Health Care Policy

HR 1826 - Health Care Policy

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 10 - Downsizing State Government

HCR 14 - Tourism and Natural Resources

HCR 40 - Judiciary

HCR 41 - General Laws

HCR 44 - General Laws

HCR 49 - Financial Institutions

HCR 50 - Health Care Policy
HCR 51 - Health Insurance
HCR 52 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 1 - Downsizing State Government
HJR 4 - Downsizing State Government
HJR 19 - Special Standing Committee on Redistricting
HJR 20 - Elections
HJR 24 - General Laws
HJR 25 - Elementary and Secondary Education
HJR 28 - Elections
HJR 34 - Elections
HJR 35 - General Laws
HJR 36 - Downsizing State Government
HJR 37 - Downsizing State Government
HJR 38 - Elementary and Secondary Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 223 & 231 - Fiscal Review (Fiscal Note)
HB 49 - Transportation
HB 117 - Special Standing Committee on Renewable Energy
HB 150 - Veterans
HB 164 - Judiciary
HB 165 - Children and Families
HB 166 - Tourism and Natural Resources
HB 178 - Judiciary
HB 181 - Ways and Means
HB 195 - Elementary and Secondary Education
HB 206 - International Trade and Job Creation
HB 230 - Judiciary
HB 237 - Elections
HB 261 - Elementary and Secondary Education
HB 288 - Local Government
HB 289 - Elections
HB 296 - Judiciary
HB 308 - Corrections
HB 309 - Crime Prevention and Public Safety
HB 342 - Ways and Means
HB 343 - Ways and Means
HB 351 - Elections

HB 355 - Transportation Funding and Public Institutions
HB 365 - General Laws
HB 370 - Health Care Policy
HB 373 - Local Government
HB 376 - Utilities
HB 378 - General Laws
HB 379 - Elections
HB 380 - Tax Reform
HB 381 - Elections
HB 389 - Elementary and Secondary Education
HB 390 - Health Care Policy
HB 391 - Health Insurance
HB 422 - Crime Prevention and Public Safety
HB 424 - Tourism and Natural Resources
HB 435 - Rural Community Development
HB 439 - Health Care Policy
HB 452 - Health Insurance
HB 453 - Local Government
HB 454 - Judiciary
HB 455 - Elementary and Secondary Education
HB 456 - Crime Prevention and Public Safety
HB 457 - Crime Prevention and Public Safety
HB 469 - Judiciary
HB 479 - Economic Development
HB 480 - Economic Development
HB 481 - Crime Prevention and Public Safety
HB 485 - Judiciary
HB 486 - Judiciary
HB 487 - Judiciary
HB 497 - Local Government
HB 510 - Judiciary
HB 512 - Crime Prevention and Public Safety
HB 517 - Crime Prevention and Public Safety
HB 519 - Economic Development
HB 524 - Insurance Policy
HB 529 - Transportation
HB 533 - Ways and Means
HB 569 - Utilities
HB 574 - Health Insurance
HB 575 - Elementary and Secondary Education
HB 576 - Elementary and Secondary Education
HB 577 - Elementary and Secondary Education
HB 587 - Judiciary
HB 594 - General Laws
HB 612 - Elementary and Secondary Education
HB 614 - Higher Education
HB 615 - General Laws

HB 616 - Economic Development
HB 618 - Tax Reform
HB 619 - General Laws
HB 620 - General Laws
HB 621 - Elementary and Secondary Education
HB 622 - Special Standing Committee on Renewable Energy
HB 627 - Elections
HB 640 - Elections
HB 646 - General Laws
HB 651 - General Laws
HB 668 - Professional Registration and Licensing
HB 672 - Elections
HB 681 - Elections
HB 685 - Health Care Policy
HB 694 - Elections
HB 704 - Judiciary
HB 705 - Economic Development
HB 756 - Elementary and Secondary Education
HB 759 - Local Government
HB 760 - General Laws
HB 768 - Judiciary
HB 771 - Children and Families
HB 775 - Crime Prevention and Public Safety
HB 779 - Economic Development
HB 784 - Judiciary
HB 789 - Agri-Business
HB 815 - Local Government
HB 819 - Transportation Funding and Public Institutions
HB 822 - Financial Institutions
HB 826 - Tourism and Natural Resources
HB 830 - Agri-Business
HB 833 - Small Business
HB 841 - General Laws
HB 845 - Workforce Development and Workplace Safety
HB 849 - Elementary and Secondary Education
HB 850 - Judiciary
HB 853 - Local Government
HB 855 - Elementary and Secondary Education
HB 859 - Ways and Means
HB 866 - Crime Prevention and Public Safety
HB 867 - Higher Education
HB 873 - Agri-Business
HB 879 - Retirement
HB 884 - Judiciary
HB 886 - General Laws
HB 887 - Professional Registration and Licensing
HB 888 - Transportation

HB 892 - Professional Registration and Licensing
HB 897 - Elementary and Secondary Education
HB 898 - Elementary and Secondary Education
HB 900 - Transportation
HB 902 - Judiciary
HB 905 - Economic Development
HB 907 - Local Government
HB 911 - Ways and Means
HB 916 - Transportation
HB 919 - Local Government
HB 920 - Financial Institutions
HB 921 - Elementary and Secondary Education
HB 922 - Financial Institutions
HB 923 - Judiciary
HB 925 - Judiciary
HB 928 - Judiciary
HB 930 - Tax Reform
HB 933 - Small Business
HB 934 - Insurance Policy
HB 936 - Elementary and Secondary Education
HB 937 - Professional Registration and Licensing
HB 938 - Local Government
HB 939 - Elementary and Secondary Education
HB 941 - Crime Prevention and Public Safety
HB 942 - Economic Development
HB 944 - Ways and Means
HB 946 - Agri-Business
HB 947 - Elections
HB 952 - Elections
HB 954 - Retirement
HB 955 - Ways and Means
HB 956 - Crime Prevention and Public Safety
HB 958 - Economic Development
HB 959 - Elections
HB 960 - Judiciary
HB 962 - Economic Development
HB 963 - Transportation
HB 964 - Elementary and Secondary Education
HB 966 - Tax Reform
HB 969 - Local Government
HB 970 - Tax Reform
HB 973 - International Trade and Job Creation
HB 975 - Small Business
HB 976 - Tax Reform
HB 977 - Transportation
HB 978 - Health Care Policy
HB 982 - Health Care Policy

HB 983 - International Trade and Job Creation
HB 984 - Agri-Business
HB 986 - Workforce Development and Workplace Safety
HB 989 - Workforce Development and Workplace Safety
HB 991 - Judiciary
HB 993 - Local Government
HB 995 - Crime Prevention and Public Safety
HB 997 - Judiciary
HB 998 - Elections
HB 1000 - Special Standing Committee on Redistricting
HB 1001 - Special Standing Committee on Redistricting
HB 1004 - Downsizing State Government
HB 1005 - Downsizing State Government
HB 1007 - Workforce Development and Workplace Safety
HB 1009 - Transportation Funding and Public Institutions
HB 1010 - Health Care Policy
HB 1012 - Elections
HB 1013 - Agri-Business
HB 1014 - Judiciary
HB 1015 - Agri-Business
HB 1016 - Tax Reform
HB 1017 - Elementary and Secondary Education
HB 1019 - Local Government
HB 1020 - Health Insurance
HB 1021 - Utilities
HB 1022 - International Trade and Job Creation
HB 1023 - Ways and Means
HB 1024 - Judiciary
HB 1025 - Judiciary
HB 1026 - Health Insurance
HB 1028 - Economic Development

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SS SCR 8 - Agri-Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 29 - Professional Registration and Licensing
SCS SB 54 - Elementary and Secondary Education
SB 59 - Judiciary
SCS SB 60 - Judiciary
SS SCS SB 65 - Health Care Policy

SS SCS SB 70 - Judiciary
SCS SB 81 - Elementary and Secondary Education
SB 90 - Health Insurance
SB 116 - Judiciary
SCS SB 117 - Local Government
SB 147 - Elementary and Secondary Education
SCS SB 177 - Health Care Policy
SB 237 - Judiciary
SS SCS SB 351 - Judiciary
SCS SB 356 - Agriculture Policy

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 38

WHEREAS, the ABC Heart of America Education Trust's trade and technical school, currently located in Mission Kansas, is seeking to relocate to Kansas City, Missouri; and

WHEREAS, the ABC Heart of America Education Trust's trade and technical school would provide postsecondary higher education and vocational training programs for veterans, displaced workers, and those underemployed persons looking for vocational career training; and

WHEREAS, the relocation of the ABC Heart of America Education Trust's trade and technical school would bring 25 new full-time and part-time jobs to Kansas City, and would represent a total reinvestment in excess of one million dollars; and

WHEREAS, Resolution No. 100978 has been filed in the City Council of Kansas City expressing the support of the Mayor and City Council of Kansas City for the relocation of the ABC Heart of America Education Trust's trade and technical school to Kansas City:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby express our support for the relocation of the ABC Heart of America Education Trust's trade and technical school to Kansas City; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Mayor and City Council of Kansas City and the ABC Heart of America Education Trust's trade and technical school in Mission, Kansas.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was returned **HCS SJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was returned **HCS SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 552**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 711**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 174**, entitled:

An act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 174, Page 1, Section 172.030, Line 7, by inserting at the end of said line the following:

"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term."; and

Further amend said bill, Page 2, Section 173.005, Line 19, by inserting after "expenses." the following:

"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term."; and

Further amend said bill, Page 7, Section 174.450, Line 30, by inserting at the end of said line the following:

"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 209**, entitled:

An act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 209, Page 2, Section 67.402, Line 12, by inserting after the word "inhabitants" the following:

"(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; and

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 209, Page 8, Section 537.296, Line 10, by striking the opening bracket "[" from said line; and

Further amend Line 11, by striking the closing bracket "]" from said line.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 358**.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 13, 2011.

COMMITTEE MEETINGS

BUDGET

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup: Capital Improvements, Maintenance & Repairs, and Reappropriations.

BUDGET

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.

CHILDREN AND FAMILIES

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 509, HB 793, HB 816, HCR 45
Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, April 13, 2011, North Gallery upon morning recess.
Executive session will be held: HB 837, HB 539
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 999
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 763, SS SCS SB 13, SB 243, HB 994
Executive session may be held on any matter referred to the committee.
Hearing will be continued upon afternoon adjournment in House Hearing Room 2.
AMENDED

FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

GENERAL LAWS

Wednesday, April 13, 2011, 12:30 PM North Gallery.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 57, SB 38
Executive session will be held: SCS SB 17, SB 284, SS#2 SCS SB 62
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 13, 2011, House Hearing Room 7, 5:00 PM or upon afternoon adjournment.
Public hearing will be held: HB 901, HB 924
Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 1.
Public hearing will be held: SCS SB 57, SB 165, HB 785, HB 909
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 96, SB 97, HB 917

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2011, House Hearing Room 5,

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 863, HB 367, HB 769, HB 553

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 13, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner - upon afternoon adjournment.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, April 13, 2011, 1:00 PM House Hearing Room 7.

Executive session will be held: HCS#2 SJR 2, HCS#2 SB 3

Executive session may be held on any matter referred to the committee.

Executive session may also include HCS for SB 68.

AMENDED

SMALL BUSINESS

Wednesday, April 13, 2011, South Gallery upon morning recess.

Executive session will be held: HB 741

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 3.

Public hearing will be held: HB 1006

Executive session may be held on any matter referred to the committee.

CANCELLED

TAX REFORM

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 880

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 14, 2011, 9:00 AM House Hearing Room 7.

Executive session will be held: HB 597, SB 180, SS SB 135

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, April 13, 2011, South Gallery upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 14, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: SCR 7, SB 173

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 14, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 843, HB 953, HB 885, HB 175

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 13, 2011, House Hearing Room 5 upon afternoon adjournment.

Executive session will be held: HB 893

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HCS HB 464 - McNary
- 8 HCS HB 555 - Grisamore
- 9 HB 655 - Lampe
- 10 HCS HB 657 - Allen
- 11 HCS HB 121 - Dugger
- 12 HCS HB 161 - Cox
- 13 HCS HBs 303 & 239 - Davis
- 14 HCS HB 366 - Silvey
- 15 HCS HB 562 - Grisamore
- 16 HCS HB 579 - Frederick
- 17 HB 656, as amended - Brandom
- 18 HB 661 - Wells
- 19 HCS HB 664 - Leara
- 20 HCS HBs 300, 334 & 387 - Gatschenberger
- 21 HB 466 - Schoeller

1242 *Journal of the House*

- 22 HCS HB 523 - Molendorp
- 23 HCS HB 643 - May
- 24 HB 708 - Curtman
- 25 HCS HB 773 - Gosen
- 26 HB 1008 - Long

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 111 - Cox
- 2 HCS HBs 223 & 231, (Fiscal Review 4-12-11) - Wallingford
- 3 HCS HB 430 - Burlison

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

HOUSE CONCURRENT RESOLUTIONS

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

SENATE BILLS FOR THIRD READING

- 1 SS SCS SBs 113 & 95 - Loehner
- 2 SCS SB 188 - Elmer

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 209, as amended - Guernsey

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Now, O God, strengthen Thou my hands. (Nehemiah 6:9)

Almighty God, our Heavenly Host, the source of all that is beautiful and good in life, again we come to You, restless, seeking rest in You; weak, seeking strength from You; uncertain, seeking certainty in Your presence. Lesser things have laid their hands upon us, we have majored in minors, we have triumphed with trifles - yet You are always with us endeavoring to lead us along the better way to life and to a greater life together.

Strengthen us with Your Spirit and help us to deal wisely and well with the high business before us this day. May we go from this moment of prayer to be true children of Yours, serving You and our fellow citizens with all our hearts. Because we have lived this hour and thought and prayed, may the world become a better place in which all people can live together in peace. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ally Webb, Katie Wilson, Andrew Bexten, Reagan Taggart and Abby Davis.

The Journal of the fifty-third day was approved as printed.

SPECIAL RECOGNITION

The Marion County Lady Mustang Basketball Team was introduced by Representatives Redmon and Shumake and recognized for attaining the 2011 Class 1A Missouri State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2020 through House Resolution No. 2064

Speaker Tilley assumed the Chair.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SS SCS HCS HB 163** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HCS HB 163** was delivered to the Governor by the Chief Clerk of the House.

PERFECTION OF HOUSE BILLS

HB 656, as amended, relating to payday loans, was taken up by Representative Brandom.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Brandom, **HB 656, as amended**, was ordered perfected and printed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Fitzwater	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively

Shumake	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Lasater	Long	Nasheed	Wallingford
Webb				

VACANCIES: 001

Speaker Tilley resumed the Chair.

HCS HB 555, relating to individuals with disabilities, was taken up by Representative Grisamore.

Representative Grisamore offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 555, Page 3, Section 143.1017, Line 26, by inserting after the word “**health.**” the following:

“The moneys in the developmental disabilities waiting list equity trust fund established in this subsection shall not be appropriated in lieu of general state revenues.”; and

Further amend said bill, Page 32, Section 210.496, Line 23, by inserting after the word “**child**” the following:

“or an inability to perform the duties of a foster parent”; and

Further amend said bill, Section 210.900, Page 33, Line 41, by inserting after all of said section the following:

“211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child or person seventeen years of age, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child or person seventeen years of age shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody or support; or

(c) The child or person seventeen years of age was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child or person seventeen years of age is a child in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child or person seventeen years of age to the guardianship of the department of social services as provided by law.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person seventeen years of age who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child or person seventeen years of age may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person seventeen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child or person seventeen years of age under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child or person seventeen years of age or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri Supreme Court Rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or person seventeen years of age, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child or person seventeen years of age taken into custody in a county other than the county of the child's residence or the residence of a person seventeen years of age, the juvenile court of the county of the child's residence or the residence of a person seventeen years of age shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

6. In cases involving a parent with a disability or disease, determinations made under this section shall consider the availability and use of accommodations for the disability or disease, including assistive technology and support services."; and

Further amend said bill, Section 211.447, Page 42, Lines 146-148, by deleting the words "**determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 555, Page 21, Section 208.152, Line 206, by inserting after the number "**(24)**" the following:

"Prescribed medically necessary hearing aids. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;" and renumber subsequent subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted.

Representative Wyatt offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 555, Page 86, Section 632.120, Line 17, by inserting after all of said section and line the following:

"632.312. Notwithstanding the provisions of section 105.452 to the contrary, a sheriff may receive reimbursement for the actual costs of transporting a person to and from a mental health facility pursuant to chapter 632 from a public or private hospital, not-for-profit charitable organization, the state, or a political subdivision."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wyatt, **House Amendment No. 3** was adopted.

Representative Nance offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 555, Page 24, Section 208.152, Line 311, by inserting after all of said section and line the following:

“208.184. 1. Subject to appropriation, for the renewal of a child's eligibility for MO HealthNet benefits under this chapter or the state children's health insurance program benefits under sections 208.631 to 208.659, the department of social services shall provide a prepopulated form completed by the department based on all information available to the department and notice to the parent or caretaker relative of the child that eligibility of the child will be renewed and continued based on such information unless the department is provided other information from such parent or caretaker relative. Nothing in this subsection shall be construed as preventing the state from verifying, through electronic and other means, the information so provided.

2. If there are no changes in information, such as income or family composition, relating to eligibility of the child for the benefits listed in subsection 1 of this section, the parent or caretaker relative of the child shall not be required to send back the prepopulated form referenced in subsection 1 of this section. The department shall renew the child's eligibility for MO HealthNet benefits or the state children's health insurance program benefits based on information available to the department through electronic or other means, unless sufficient information is not in the state's possession and cannot be acquired from other sources, including other state agencies, without the participation of the applicant or the applicant's parent or caretaker relative.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 4** was adopted.

On motion of Representative Grisamore, **HCS HB 555, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 555, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILLS

SS SCS SBs 113 & 95, relating to dog breeders, was taken up by Representative Loehner.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 4, Section 273.345, Line 85, by inserting immediately following the word **“agriculture.”** the following:

“The animal’s enclosure shall be cleaned of waste at least once a day.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Anders	Atkins	Carlson	Colona	Conway 27
Ellinger	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe

May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 098

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Crawford	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lasater	Lauer
Leach	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 024

Bahr	Brown 50	Carter	Cox	Cross
Curtman	Day	Funderburk	Gatschenberger	Gosen
Hodges	Hoskins	Korman	Lant	Largent
Leara	Molendorp	Nasheed	Phillips	Riddle
Schneider	Torpey	Webb	Zimmerman	

VACANCIES: 001

Representative Schupp offered **House Amendment No. 2.**

Representative Richardson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative McNeil offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 3, Section 273.345, Line 48, by deleting the bracket “[“ after the word “means”; and

Further amend said bill, page, and section, Lines 52-57, by deleting all of said lines and inserting in lieu thereof the following:

“provided to the dog;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McNeil moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative McGeoghegan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 2, Section 273.345, Lines 25-27, by deleting all of said lines and inserting in lieu thereof the following:

“that dogs are not bred to produce more than two litters in any eighteen-month period;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McGeoghegan moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Loehner, **SS SCS SBs 113 & 95** was truly agreed to and finally passed by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Guernsey	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Korman
Lair	Lant	Largent	Leach	Lichtenegger
Loehner	Long	McCaherty	McGhee	Nance
Nasheed	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieffer
Schoeller	Shively	Shumake	Smith 150	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 071

Allen	Anders	Atkins	Brown 85	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cross	Ellinger	Faith	Fuhr
Gosen	Haefner	Hampton	Harris	Holsman
Hubbard	Hughes	Hummel	Jones 63	Jones 89
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lauer	Leara	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Pierson	Rizzo	Schieber
Schneider	Schupp	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Walton Gray	Webber	Zerr
Zimmerman				

PRESENT: 001

Black

ABSENT WITH LEAVE: 005

Brown 50	Gatschenberger	Grisamore	Scharnhorst	Webb
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VACANCIES: 001

Speaker Tilley declared the bill passed.

SCS SB 188, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

Representative Webber requested a division of the question on **SCS SB 188**.

Representative Webber offered **House Amendment No. 1 to Part I**.

House Amendment No. 1

AMEND Part I of Senate Committee Substitute for Senate Bill No. 188, Page 2, Section 213.010, Line 35, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said bill, Page 5, Section 213.070, Line 11, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said page, Section 213.101, Line 5, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert offered **House Amendment No. 1 to House Amendment No. 1 to Part I**.

Representative Elmer raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is in violation of Rule 75.

The Chair ruled the point of order well taken.

Representative Webber moved that **House Amendment No. 1 to Part I** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Carlson	Carter
Colona	Conway 27	Ellinger	Fallert	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schneider	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter	Zerr		

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shively	Shumake	Smith 150	Stream	Swinger
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Fisher	Leara	Meadows	Nasheed
Nolte	Pollock	Schieffer	Silvey	Webb
Zimmerman				

VACANCIES: 001

On motion of Representative Elmer, **Part I of SCS SB 188** was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Smith 150	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 061

Anders	Atkins	Aull	Barnes	Berry
Black	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	Lasater
Leach	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 009

Brown 50	Fisher	Leara	Meadows	Nolte
Pollock	Silvey	Webb	Zimmerman	

VACANCIES: 001

Representative Taylor offered **House Amendment No. 1 to Part II.***House Amendment No. 1*

AMEND Part II of Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 213.111, Line 60, by deleting the word “**dollars.**” and inserting in lieu thereof the following:

“dollars, except under the condition that said respondent has revenue during the twenty or more calendar weeks of four billion dollars or more or that during this period has been included on the Fortune 500 list of companies. For this respondent the sum of actual damages, including damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses, and punitive damages awarded shall be determined by a court of law or a jury.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Taylor moved that **House Amendment No. 1 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber	Weter			

NOES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Lichtenegger	Loehner
Long	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Faith	Fisher	Franz	Kander
Leara	Meadows	Pollock	Silvey	Webb
Zimmerman				

VACANCIES: 001

Representative McManus offered **House Amendment No. 2 to Part II.**

House Amendment No. 2

AMEND Part II of Senate Committee Substitute for Senate Bill No. 188, Page 5, Section 213.101, Line 10, by inserting after the word “**Commission.**” the following:

“If, notwithstanding the intent of this section, federal funds to the Missouri Human Rights Commission or any other state or local department, agency or public entity currently receiving funds for the purpose of monitoring, tracking, preventing or punishing discrimination shall lose funds or are ineligible for funding as the result of a federal grant making or funding agency, entity or department finding or determining that Missouri’s Human Rights Act is no longer compliant with federal civil rights law, the provisions of this section shall revert to the provisions of the law in effect December 31, 2010 and shall be enforced as such.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McManus moved that **House Amendment No. 2 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Anders	Atkins	Aull	Bahr	Barnes
Berry	Black	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	Leach
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber	Weter		

NOES: 093

Allen	Asbury	Bernskoetter	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89

1256 *Journal of the House*

Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Faith	Holsman	Kander
Pollock	Schneider	Silvey	Smith 150	Webb
Zimmerman				

VACANCIES: 001

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty
McCann Beatty	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Cierpiot	Curtman	Dieckhaus	Faith
Holsman	Loehner	McDonald	McGeoghegan	Nolte
Schneider	Silvey	Webb	Wright	Zimmerman

VACANCIES: 001

On motion of Representative Elmer, **Part II of SCS SB 188** was adopted by the following vote:

AYES: 094

Asbury	Aull	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Long	McCaherty	McNary	Molendorp	Nance
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schneider	Schoeller
Shively	Shumake	Smith 150	Stream	Swinger
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 057

Anders	Atkins	Barnes	Berry	Black
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieber	Schieffer	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter			

PRESENT: 001

Kander

ABSENT WITH LEAVE: 010

Allen	Brown 50	Cierpiot	Loehner	McGhee
Nolte	Schad	Silvey	Webb	Zimmerman

VACANCIES: 001

Representative May offered **House Amendment No. 1 to Part III.**

House Amendment No. 1

AMEND Part III of Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 1, Line 8, by deleting all of said line and inserting in lieu thereof the following:

“employed by the employer or the employee’s supervisor or corporate or company official who could reasonably be capable or expected to be capable of responding, addressing or reporting a whistleblower’s complaint;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative May moved that **House Amendment No. 1 to Part III** be adopted.

Which motion was defeated.

On motion of Representative Elmer, **Part III of SCS SB 188** was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Smith 150	Stream	Thomson	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 008

Brattin	Brown 116	Colona	Reiboldt	Shumake
Silvey	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Elmer, **SCS SB 188** was truly agreed to and finally passed by the following vote:

AYES: 093

Allen	Asbury	Aull	Bahr	Bernskoetter
Brattin	Brown 85	Burlison	Cauthorn	Cierpiot
Conway 14	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shively
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 063

Anders	Atkins	Barnes	Berry	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Cookson	Ellinger	Fallert	Harris

1260 *Journal of the House*

Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Leach	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter	Zimmerman		

PRESENT: 001

Kander

ABSENT WITH LEAVE: 005

Brandom	Brown 116	Reiboldt	Silvey	Webb
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VACANCIES: 001

Speaker Tilley declared the bill passed.

On motion of Representative Jones (89), the House recessed until 3:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**SUPPLEMENTAL CALENDAR
APRIL 13, 2011**

SENATE BILL FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 37, relating to Diabetic Peripheral Neuropathy Week, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCR 37** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Flanigan	Parkinson	Silvey
Webb	Mr Speaker			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 464, relating to boards, commissions and committees, was taken up by Representative McNary.

Representative Colona offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 464, Page 5, Section 37.745, Line 3, by inserting after all of said line the following:

“90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.

2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Colona, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 464, Page 28, Section 210.101, Line 8, by inserting after the word **"departments:"** the following:

"labor and industrial relations,"; and

Further amend said bill, Page 29, Section 210.101, Line 20, by deleting the words "**who represent one**" and inserting in lieu thereof the words "**with one member representing each**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted.

On motion of Representative McNary, **HCS HB 464, as amended**, was adopted.

On motion of Representative McNary, **HCS HB 464, as amended**, was ordered perfected and printed.

HCS HBs 300, 334 & 387, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Diehl	Holsman	Jones 63	Jones 89
Nolte	Parkinson	Webb	Zimmerman	Mr Speaker

VACANCIES: 001

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was adopted.

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 5 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 555 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 366 - General Laws

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 21**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 22**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 649**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was returned **HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 38**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 165**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 220**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 889**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 97**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 145**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 77**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 131**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 207**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, Missouri's 57,000 state employees rank 50th out of the 50 states in their annual compensation, according to the most recent figures available from the United States Census Bureau; and

WHEREAS, with an average salary of \$38,184, the average state employee in Missouri earned 26% less than the United States average of \$51,507; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation; and

WHEREAS, according to the United States Census Bureau, Missouri's full-time equivalent employment dropped 1.09%, and Missouri part-time employment dropped 8.47% from 2008 to 2009; and

WHEREAS, for December 2010, the Bureau of Labor Statistics of the United States Department of Labor reported an unemployment rate of 9.5%, the 15th highest percentage in the nation; and

WHEREAS, in his State of the State Address on January 19, 2011, Governor Nixon said that he has "cut state payroll by over 3,300 positions" since he took office in January 2009 and is recommending another 863 state employee positions be eliminated this year; and

WHEREAS, Governor Nixon acknowledged that "All across state government, a leaner workforce is doing more with less."; and

WHEREAS, if the recommended cuts are enacted in the 2012 fiscal year budget, Missouri's full-time employee payroll will drop to approximately 56,500 positions, with the largest reductions in the departments of Mental Health and Social Services;

WHEREAS, in asking state employees to "do more with less", it is vitally important that the State of Missouri attract and maintain a talented and dedicated workforce in order to best serve the needs of our citizens; and

WHEREAS, one of the keys to attracting and maintaining a talented and dedicated workforce will be to raise the annual compensation of our state workforce so we are no longer ranked 50th among the 50 states in state employee compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby establish a Joint Interim Committee on State Employee Wages; and

BE IT FURTHER RESOLVED that the Committee shall:

- (1) Compare the wages of Missouri state employees to the wages for state employees in other states;
- (2) Study and develop strategies for increasing the wages of Missouri's state employees so Missouri will no longer rank 50th among states regarding state worker wages;
- (3) Report its recommendations to the House Budget Committee and the Senate Appropriations Committee by December 31, 2011; and
- (4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Committee shall be composed of the following ten members:

- (1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker of the House and Minority Leader of the House;
- (2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem of the Senate;
- (3) One representative from the Governor's Office;
- (4) One representative from the State Personnel Advisory Board; and
- (5) Two members of the public, with one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the First Regular Session of the Ninety-sixth General Assembly through December 31, 2011; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staffs of Senate Appropriations, Senate Research, House Appropriations, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 893**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 491**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 322**, entitled:

An act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to certain provider taxes.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

April 13, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163** entitled:

"AN ACT"

To repeal sections 288.040, 288.060, and 288.062, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with an emergency clause.

On April 13, 2011, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 9:30 a.m., Thursday, April 14, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.

Public hearing will be held: SCS SB 356, HB 990

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

BUDGET

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.

CANCELLED

ELECTIONS

Thursday, April 14, 2011, 8:30 AM House Hearing Room 1.

Executive session will be held: SB 282

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

RULES

Thursday, April 14, 2011, House Hearing Room 5 upon morning adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, April 14, 2011, House Hearing Room 5 upon morning adjournment.

Executive session will be held: HB 364, HCS HBs 600, 337 & 413, HCS HB 742, HCS HB 787, HCS SCS SB 162

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, April 14, 2011, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1006

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 14, 2011, 9:00 AM House Hearing Room 7.

Executive session will be held: HB 597, SB 180, SS SB 135

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 14, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: SCR 7, SB 173

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 14, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 843, HB 953, HB 885, HB 175

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 5, (Fiscal Review 4-13-11) - Pollock

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 111 - Cox
- 2 HCS HBs 223 & 231, (Fiscal Review 4-12-11) - Wallingford
- 3 HCS HB 430 - Burlison
- 4 HB 591 - Lichtenegger
- 5 HCS HB 697 - Smith (150)
- 6 HCS HB 407 - Wieland
- 7 HB 211 - Koenig
- 8 HB 257 - Cox
- 9 HB 305, E.C. - Gatschenberger
- 10 HB 357 - Leara
- 11 HB 656 - Brandom
- 12 HCS HB 555, (Fiscal Review 4-13-11) - Grisamore
- 13 HCS HB 464 - McNary
- 14 HCS HBs 300, 334 & 387 - Gatschenberger

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

SENATE BILLS FOR SECOND READING

SB 322

HOUSE CONCURRENT RESOLUTIONS

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

SENATE BILLS FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 209, as amended - Guernsey
- 2 HCS HB 174, SA 1 - Thomson

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God is Spirit: and they that worship Him must worship Him in spirit and in truth. (John 4:24)

O God of truth and love, without You our world drifts into the valley of darkness and despair, let the light of Your Spirit glow within us as we worship You this moment. Deliver us from greed and bitterness, from misunderstanding and ill will - which are the seeds of contention and confusion. By the might of Your presence and by the strength of Your Spirit in our hearts make us one in You. With this oneness may we launch out into an adventurous cooperation among each other which shall be a pattern of life for our own state and for all the people of Missouri.

Underneath all differences of political parties help us to see human life struggling to be free and to find satisfaction on higher levels of daily life. We believe You are showing us the way in Your Word - help us to walk in it to the glory of Your name and for the good of our citizens.

We recall our Missouri history today when on this date in 1841 the University of Missouri, the first state university west of the Mississippi River, was opened. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hannah Eileen Kratky, Cecilia Patience Fugaro, Antonio Michael Fugaro, Victoria Joy Fugaro, Adeline Thessen, Carter Kane, Sophia Council, Maggie Peak and Luke Dougherty.

The Journal of the fifty-fourth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2065 through House Resolution No. 2149

SECOND READING OF SENATE BILL

SB 322 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 223 & 231** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 555** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL

HCS HB 430, relating to transportation, was taken up by Representative Burlison.

Representative Burlison offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 430, Page 3, Section 301.3145, Line 1, by deleting the number "**301.3145**" and inserting in lieu thereof the words "**Section 1**"; and

Further amend said bill by moving said section to the appropriate place in said bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Burlison, **HCS HB 430, as amended**, was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach

Leara	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Loehner	May	Pollock
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VACANCIES: 001

Speaker Tilley declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 193**, entitled:

An act to repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SS HCS HB 193, relating to congressional districts, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to adopt **SS HCS HB 193** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HCS#2 HB 609, relating to the Show-me Health Insurance Exchange, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS#2 HB 609** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Funderburk	May	Pollock	Zimmerman
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VACANCIES: 001

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 111, relating to judicial procedures, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 111** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Sarnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman	Mr Speaker		

NOES: 002

Hughes	Nasheed
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PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Diehl	Funderburk	Jones 117	May
Pollock	Schad			

VACANCIES: 001

Speaker Tilley declared the bill passed.

HCS HBs 223 & 231, relating to higher education financial programs, was taken up by Representative Wallingford.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Wallingford, **HCS HBs 223 & 231** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brown 116	Funderburk	May	Pollock
Quinn	Schad			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 591, relating to a limited dental teaching license, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **HB 591** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berry	Brown 116	Funderburk	Jones 117	May
Pollock	Quinn	Schad		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 407, relating to certificates of insurance, was taken up by Representative Wieland.

On motion of Representative Wieland, **HCS HB 407** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Zimmerman	Mr Speaker		

NOES: 001

Loehner

PRESENT: 002

Gosen Molendorp

ABSENT WITH LEAVE: 006

Brown 116	Funderburk	May	Pollock	Thomson
White				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 211, relating to lead abatement rules and regulations, was taken up by Representative Koenig.

On motion of Representative Koenig, **HB 211** was read the third time and passed by the following vote:

AYES: 094

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 059

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Denison	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Weter	Zimmerman	

PRESENT: 003

Bahr	McCaherty	Molendorp
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ABSENT WITH LEAVE: 006

Brown 116	Curtman	Funderburk	McGhee	Pollock
Schneider				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 697, relating to state agency administrative rules, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 697** was read the third time and passed by the following vote:

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 003

Brown 116	Funderburk	Pollock
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VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 257, relating to the Sentencing Advisory Commission, was taken up by Representative Cox.

On motion of Representative Cox, **HB 257** was read the third time and passed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 057

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 001

Day

ABSENT WITH LEAVE: 004

Brown 116	Funderburk	Meadows	Pollock
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VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 305, relating to a state employee retirement incentive, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 305** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 011

Brattin	Conway 14	Hubbard	Hughes	Montecillo
Oxford	Pace	Schupp	Smith 71	Spreng
Webb				

PRESENT: 002

Conway 27	Walton Gray
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ABSENT WITH LEAVE: 005

Brown 116	Funderburk	McGhee	Meadows	Pollock
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VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

HB 305, with emergency clause pending, was laid over.

HCS HB 555, relating to individuals with disabilities, was taken up by Representative Grisamore.

Representative Faith assumed the Chair.

On motion of Representative Grisamore, **HCS HB 555** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Dieckhaus	Funderburk	Parkinson	Pollock	Wells
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VACANCIES: 001

Representative Faith declared the bill passed.

Representative Keeney assumed the Chair.

HB 357, relating to enhanced enterprise zones, was taken up by Representative Leara.

On motion of Representative Leara, **HB 357** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lauer	Leara	Lichtenegger	Loehner
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 005

Bahr	Brattin	Dugger	Leach	Marshall
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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Dieckhaus	Diehl	Funderburk	Largent	Lasater
Long	Pollock	Mr Speaker		

VACANCIES: 001

Representative Keeney declared the bill passed.

HCS HB 464, relating to boards, commissions and committees, was taken up by Representative McNary.

On motion of Representative McNary, **HCS HB 464** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Diehl	Funderburk	Largent	Lasater
Pollock	Mr Speaker			

VACANCIES: 001

Representative Keeney declared the bill passed.

HCS HBs 300, 334 & 387, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 010

Burlison	Carlson	Dugger	Ellinger	Franz
Guernsey	Hughes	Newman	Oxford	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 14	Dieckhaus	Funderburk	Largent	Lasater
Nasheed	Pollock	Scharnhorst	Mr Speaker	

VACANCIES: 001

Representative Keeney declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 209, as amended, relating to private nuisance actions, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **SS SCS HB 209, as amended**, was adopted by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Lochner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 045

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Ellinger	Harris	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 008

Cox	Diehl	Faith	Franz	Funderburk
Lasater	Pollock	Sater		

VACANCIES: 001

On motion of Representative Guernsey, **SS SCS HB 209, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 045

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Ellinger	Harris	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Faith	Franz	Funderburk	Lasater
Pollock	Sater			

VACANCIES: 001

Representative Keeney declared the bill passed.

HCS HB 174, with Senate Amendment No. 1, relating to higher education governing boards, was taken up by Representative Thomson.

On motion of Representative Thomson, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Cox	Dieckhaus	Faith	Franz
Funderburk	Hummel	Lasater	Pollock	Sater
Mr Speaker				

VACANCIES: 001

On motion of Representative Thomson, **HCS HB 174, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Colona	Cox	Faith	Franz
Funderburk	Klippenstein	Lasater	Pollock	Sater
Stream				

VACANCIES: 001

Representative Keeney declared the bill passed.

Speaker Tilley resumed the Chair.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 658**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 284**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 163**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 46

WHEREAS, a three-day event, FUTURALLIA, will take place from Wednesday, May 18, 2011, to Friday, May 20, 2011, at the Kansas City Convention Center; and

WHEREAS, FUTURALLIA is a unique and globally recognized event which offers small and medium size businesses from various industry sectors and business leaders to have personalized, prescheduled, face-to-face meetings with partners of their choice; and

WHEREAS, FUTURALLIA is a springboard toward making new international partnerships, in addition to informal meetings in a professional and friendly environment; and

WHEREAS, since the first FUTURALLIA event was held in 1990, the event is designed for owners, directors, and managers of small and medium size businesses from all industry sectors wishing to develop business partnerships; and

WHEREAS, FUTURALLIA KC 2011 is the 16th edition of the event, and the first time in 20 years that the event will be held in the United States; and

WHEREAS, more than 92 delegation leaders from 38 countries will be participating, with more than 800 entrepreneurs in attendance; and

WHEREAS, as host of such a internationally recognized business event, Missouri will be a showcase for business leaders and entrepreneurs involved in foreign trade; and

WHEREAS, David Kerr, Director of the Department of Economic Development has frequently discussed the importance of international trade for the economic future of the State of Missouri; and

WHEREAS, from its early trading post beginnings, Kansas City has grown to be a metropolitan area of 2.2 million people and has maintained a reputation as a crossroads of transportation and as an international trade hub; and

WHEREAS, *Fortune* magazine ranks Kansas City as one of the 20 best cities in the United States for international business; and

WHEREAS, *Entrepreneur* magazine rates Kansas City as the No. 1 city in the Midwest in which to start and grow a business and No. 11 nationally; and

WHEREAS, Kansas City's economy is a nearly exact reflection of the United States economy, with a diversity of industries that protect its employers and workforce from dramatic peaks and valleys experienced in other markets; and

WHEREAS, FUTURALLIA KC 2011 will allow the State of Missouri to become recognized as a great place for foreign trade and international business:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize Kansas City as host of FUTURALLIA KC 2011 and urge the Department of Economic Development to take every advantage of this opportunity to encourage participation and to showcase Missouri as an ideal location for foreign trade and international business; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for David Kerr, Director of the Department of Economic Development.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 908**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 597**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SS SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 133**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 600, 337 & 413**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 162**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 162**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 26 & 106**, entitled:

An act to amend chapter 301, RSMo, by adding thereto two new sections relating to specialized license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 100**, entitled:

An act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 132**, entitled:

An act to repeal sections 385.200, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 230**, entitled:

An act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 238**, entitled:

An act to repeal sections 87.005 and 87.006, RSMo, and to enact in lieu thereof two new sections relating to diseases presumed incurred in the line of duty by firefighters.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 254**, entitled:

An act to repeal sections 302.309, 558.021, and 577.023, RSMo, and to enact in lieu thereof three new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 286**, entitled:

An act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof eighteen new sections relating to protecting children from sex offenders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 300**, entitled:

An act to amend chapter 252, RSMo, by adding thereto one new section relating to deer season.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 323**, entitled:

An act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 325**, entitled:

An act to amend chapter 324, RSMo, by adding thereto one new section relating to notifying employers regarding the licensing status of employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 337**, entitled:

An act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, and 268.121, RSMo, and to enact in lieu thereof five new sections relating to agriculture, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 360**, entitled:

An act to amend chapter 67, RSMo, by adding thereto five new sections relating to a county drinking water supply lake authority.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 387**, entitled:

An act to repeal sections 544.455, 544.470, and 557.011, RSMo, and to enact in lieu thereof four new sections relating to electronic monitoring of certain offenders.

In which the concurrence of the House is respectfully requested.

LETTER OF RESIGNATION

April 14, 2011

Mr. D. Adam Crumbliss
Chief Clerk and House Administrator
Missouri House of Representatives
Capitol Building, Room 306C
Jefferson City, MO 65101

Subject: Resignation

Dear Mr. Crumbliss:

Please accept this letter as notification of my resignation as Representative of District 15 of the State of Missouri House of Representatives effective midnight on April 18, 2011.

I am blessed to have had the opportunity to serve the citizens in District 15.

Sincerely,

/s/ Sally Faith
State Representative
Proudly serving the people of the 15th District

COMMUNICATION

April 14, 2011

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Chief Crumbliss:

This is to advise you that I serve as a fixed income partner with the law firm of Husch Blackwell, LLP. I have no ownership interest in the firm. Fees earned by others in the firm do not impact my compensation.

There are well over five hundred attorneys at Husch Blackwell. The firm serves thousands of clients based in numerous states, with changes in clients occurring on a daily basis. Some members of the firm may represent parties with an interest in proposed legislation. In the overwhelming majority of these instances, I will not even be aware of such representation.

To the extent a piece of legislation would directly impact an entity I know to be a client of my firm in a manner that is materially different than its impact on other similarly situated entities in the industry, I will vote "present" on the proposal.

Should you have any questions, please feel free to contact me.

Very truly yours,

/s/ Scott Sifton
District 96

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 5:00 p.m., Monday, April 18, 2011.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fourth Day, Wednesday, April 13, 2011, Page 1243, by inserting after Line 25, the following:

HOUSE CONCURRENT RESOLUTION

Representative Rowland, et al., offered House Concurrent Resolution No. 53.

Page 1266, Line 10, by inserting after the words "**Do Pass**", the words "**by Consent**".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.

Public hearing will be held: SCS SB 356, HB 990

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

BUDGET

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

BUDGET

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 18, 2011, 3:00 PM House Hearing Room 4.

Public hearing will be held: HB 730, HB 869

Executive session may be held on any matter referred to the committee.

HB 999 work session, no public testimony.

ECONOMIC DEVELOPMENT

Tuesday, April 19, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: HB 905, HB 962, HB 479, HB 480, HB 779

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 19, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 959, HB 640, HB 974, HJR 34

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 3.

Executive session will be held: SS SCS SB 13, SB 243

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 54, SCS SB 81, SB 147, HB 752

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, April 19, 2011, South Gallery upon morning recess.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

HEALTH INSURANCE

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 5.
Public hearing will be held: SB 90, HB 547, HB 573
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 614, HB 867
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 18, 2011, 5:30 PM House Hearing Room 1.
Executive session will be held: HB 899, HB 696, HB 531
Executive session may be held on any matter referred to the committee.
Other bills may be reviewed in executive session.

INTERNATIONAL TRADE AND JOB CREATION

Monday, April 18, 2011, 2:00 PM House Hearing Room 3.
Executive session will be held: HB 707
Executive session may be held on any matter referred to the committee.
CANCELLED

TOURISM AND NATURAL RESOURCES

Monday, April 18, 2011, 7:30 PM, 1436 Southridge Dr., Jefferson City, MO.
Committee dinner.

VETERANS

Tuesday, April 19, 2011, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
This will be an informational meeting only.
There will be two presentations: Dr. Charles Ambrose of the University of Central Missouri;
Mr. Jeremy Amick of the Silver Star Families of America program.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 18, 2011, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 871, HB 845
Executive session may be held on any matter referred to the committee.
CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 871, HB 845

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SIXTH DAY, MONDAY, APRIL 18, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher
- 26 HB 364 - Parkinson
- 27 HCS HBs 600, 337 & 413 - Schad
- 28 HCS HB 742 - Wyatt
- 29 HCS HB 787 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 5 - Pollock

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 656 - Brandom

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 26 & 106
- 2 SCS SB 100
- 3 SS SCS SB 132
- 4 SCS SB 230
- 5 SS SB 238
- 6 SS SCS SB 254
- 7 SS SB 286
- 8 SCS SB 300
- 9 SCS SB 323
- 10 SB 325
- 11 SCS SB 337
- 12 SS SB 360
- 13 SCS SB 387

HOUSE CONCURRENT RESOLUTIONS

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

SENATE BILLS FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

BILLS CARRYING REQUEST MESSAGES

SS HCS HB 193, (request Senate recede/grant conference) - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, MONDAY, APRIL 18, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

Everyday under the sun is a gift. Receive it with eagerness. Treat it kindly. Share it with joy. Each night return it to the Giver Who will make it bright and shiny again before the next sunrise. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2150 through House Resolution No. 2254

SECOND READING OF SENATE BILLS

SCS SBs 26 & 106, SCS SB 100, SS SCS SB 132, SCS SB 230, SS SB 238, SS SCS SB 254, SS SB 286, SCS SB 300, SCS SB 323, SB 325, SCS SB 337, SS SB 360 and SCS SB 387 were read the second time.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 19, SS SCS SBs 113 & 95, SCS SB 108 and SCS SB 188** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 174, SS SCS HB 209 and HB 358** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 174, SS SCS HB 209 and HB 358** were delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 322 - Budget

COMMITTEE REPORT

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 14**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 15**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 45**, entitled:

An act to repeal Section 1.310, RSMo, and to enact in lieu thereof two new sections relating to small businesses.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 45, Page 3, Section 143.173, Lines 11-12 of said page, by striking "twenty-six" and inserting in lieu thereof the following:

"**fifty-two**"; and

Further amend Lines 12-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

"**week period**"; and

Further amend Line 22 of said page, by striking the word "average".

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Barnes, Bernskoetter, Berry, Brandom, Brown (85), Brown (116), Burlison, Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Dugger, Elmer, Fallert, Fisher, Fitzwater, Flanigan, Franklin, Franz, Frederick, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Holsman, Hough, Houghton, Hubbard, Hummel, Jones (63), Jones (89), Jones (117), Kelly (126), Kelly (24), Koenig, Korman, Kratky, Lair, Lant, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCann Beatty, McDonald, McGeoghegan, McGhee, McManus, Meadows, Molendorp, Montecillo, Nance, Nasheed, Neth, Oxford, Pace, Phillips, Pierson, Pollock, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieffer, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Stream, Swearingen, Swinger, Talboy, Taylor, Thomson, Wallingford, Walton Gray, Webb, Wells, Weter, White, Wieland, Wright and Zerr.

ADJOURNMENT

On motion of Representative Smith (150), the House adjourned until 10:00 a.m., Tuesday, April 19, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.

Public hearing will be held: SCS SB 356, HB 990

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

BUDGET

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 3.

Public hearing will be held: SB 322, HB 774

Executive session will be held: SB 322, HB 774

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

AMENDED

BUDGET

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

ECONOMIC DEVELOPMENT

Tuesday, April 19, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: HB 905, HB 962, HB 479, HB 480, HB 779

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 19, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 959, HB 640, HB 974, HJR 34

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 3.

Executive session will be held: SS SCS SB 13, SB 243

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 54, SCS SB 81, SB 147, HB 752

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, April 19, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

GENERAL LAWS

Tuesday, April 19, 2011, House Hearing Room 4 upon morning recess or 12:00 PM.

Public hearing will be held: SCS SB 366, HB 720, HCR 41

Executive session may be held on any matter referred to the committee.

CORRECTED

HEALTH INSURANCE

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: SB 90, HB 547, HB 573

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 614, HB 867

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 19, 2011, 8:30 AM Legislative Library.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Oversight reports.

LOCAL GOVERNMENT

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 117, HB 288, HB 497, HB 759, HB 907, HB 969, HB 1019

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 877, HB 1021

Executive session will be held: HB 598, SB 63, HCR 48, HB 210

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 19, 2011, 8:30 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

This will be an informational meeting only.

There will be two presentations: Dr. Charles Ambrose of the University of Central Missouri;
Mr. Jeremy Amick of the Silver Star Families of America program.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 871, HB 845

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SEVENTH DAY, TUESDAY, APRIL 19, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 14 - Cox

HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher
- 26 HB 364 - Parkinson
- 27 HCS HBs 600, 337 & 413 - Schad
- 28 HCS HB 742 - Wyatt
- 29 HCS HB 787 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 5 - Pollock

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 656 - Brandom

HOUSE CONCURRENT RESOLUTIONS

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

SENATE BILLS FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 14 - Silvey
- 2 SS SCS HCS HB 45, as amended - Hoskins

BILLS CARRYING REQUEST MESSAGES

SS HCS HB 193, (request Senate recede/grant conference) - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, TUESDAY, APRIL 19, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is my helper, and I will not fear what man shall do unto me. (Hebrews 13:6)

Eternal God, our Father, in Whom we live and move and have our being, we are Your children, creatures of Your hands, sustained by Your Spirit, redeemed by Your love and guided by Your wisdom. Steady us, we pray to You, and give us strength to do what we ought to do.

Save us from accepting too easy answers to the problems that confront us. Save us from yielding to the temptation to accept the second best when the best can be ours. By the power of an inner spiritual triumph may we conquer all pettiness, all narrowness, and all unworthy desires. May we put first that which is first, second that which is second, and last that which is last. May Your Spirit rule our hearts, and together may we serve our state to the limit of our faith and our ability.

Finally, we pray for the repose of former Congressman Harold L. Volkmer of Hannibal, who served in the House from 1967 to 1976. May he rest in peace. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fifth day was approved as printed.

The Journal of the fifty-sixth day was approved as printed.

SPECIAL RECOGNITION

Mayor-elect Sylvester "Sly" James of Kansas City, Missouri, was introduced by Representative Silvey and Speaker Tilley.

Mayor-elect James addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2255 through House Resolution No. 2309

HOUSE CONCURRENT RESOLUTION

HCR 42, relating to the Environmental Protection Agency, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCR 42** was adopted by the following vote:

AYES: 113

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Carlson	Carter	Ellinger
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Brown 50	Brown 116	Colona	Hughes
Loehner	May	Meadows	Schneider	Shively
Webber				

VACANCIES: 002

THIRD READING OF HOUSE BILL

HB 656, relating to payday loans, was taken up by Representative Brandom.

Representative Smith (150) assumed the Chair.

On motion of Representative Brandom, **HB 656** was read the third time and passed by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCahterty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 058

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Marshall	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Shumake	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Wallingford	Walton Gray	Webb	Webber
Weter	Wieland	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Brown 116	Hughes	May	Meadows
Nolte	Schneider			

VACANCIES: 002

Representative Smith (150) declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 5, relating to the right to hunt and fish, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HJR 5** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 010

Atkins	Carlson	Ellinger	Kirkton	Montecillo
Newman	Oxford	Schupp	Spreng	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Brown 116	Hough	Hughes	Leara
May	Meadows	Schneider	Still	

VACANCIES: 002

Representative Smith (150) declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 14, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SS SCS HCS HB 14** was adopted by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Brown 116	Hughes	Marshall	May
Pollock	Schneider			

VACANCIES: 002

On motion of Representative Silvey, **SS SCS HCS HB 14** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Diehl	Franklin	Hughes
Marshall	May	Newman	Quinn	Scharnhorst
Schneider				

VACANCIES: 002

Representative Smith (150) declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 473, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to charter schools, was taken up by Representative Jones (63).

On motion of Representative Dieckhaus, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Speaker Tilley resumed the Chair.

Representative Aull offered **House Amendment No. 2 to House Amendment No. 1**.

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 473, Page 1, Line 11, by inserting after the word, “**status**” the words, “**after August 28, 2011**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 2 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Zimmerman assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells

1318 *Journal of the House*

Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Brown 116	Cierpiot	Cross	Diehl
Hampton	Hughes	Kelly 24	Leara	May
Scharnhorst	Schneider			

VACANCIES: 002

On motion of Representative Thomson, **House Amendment No. 1, as amended**, was adopted.

HCS HB 473, as amended, was laid over.

Speaker Tilley resumed the Chair.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

PERFECTION OF HOUSE BILLS

HB 491, relating to the Tobacco Master Settlement Agreement, was taken up by Representative Diehl.

HB 491 was laid over.

HB 661, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **HB 661** was ordered perfected and printed.

HB 708, relating to choice of law, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 708** was ordered perfected and printed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	White		

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Diehl	Fraker	Hughes	May
Meadows	Nolte	Pollock	Zimmerman	

VACANCIES: 002

HB 1008, relating to highway infrastructure improvements, was taken up by Representative Long.

On motion of Representative Long, **HB 1008** was ordered perfected and printed.

HCS HB 473, as amended, relating to charter schools, was again taken up by Representative Jones (63).

Representative Jones (63) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 473, Section 160.400, Page 3, Line 82, by deleting the words “**general assembly**” and inserting in lieu thereof the following:

“**joint committee on education**”; and

Further amend said section, Page 5, Line 130, by placing an opening bracket “[“ immediately before the word “for” and a closing bracket “]” immediately after the word “year”; and

Further amend said bill, page and section, Line 132, by inserting immediately after the first instance of the word “school” the following:

“**until the sponsor is reauthorized by the department pursuant to section 160.403**”; and

Further amend said bill, Page 7, Section 160.405, Line 34, by inserting immediately after the word “settlements” the following:

“**and procedures that ensure admission of students with disabilities in a nondiscriminatory manner**”; and

Further amend said bill, page and section, Line 39, by deleting the second instance of the word “**and**”; and

Further amend said bill, page and section, Line 41, by inserting immediately after the figure “**160.400**” the following:

“**; and**

(10) A description of the special education and related services that will be available to meet the needs of students with disabilities”; and

Further amend said bill, page and section, Line 45, by deleting “**March thirty-first**” and inserting in lieu thereof the following:

“**December first of the year**”; and

Further amend said bill and section, Page 8, Line 76, by deleting the word “**disorders**” and inserting in lieu thereof the following:

“**problems**”; and

Further amend said bill, section and page, Lines 79 and 80, by deleting the following:

“**is in need of low incident special education services,**”; and

Further amend said bill and section, Page 10, Lines 159 and 160, by deleting all of said lines and inserting in lieu thereof the following:

“(7) [Assure that the needs of special education children are met in compliance] **Comply** with all applicable federal and state laws and regulations **regarding students with disabilities including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S. C. 1400) and Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 794) or successor legislation**”; and

Further amend said bill and section, Page 12, Line 226, by deleting the words “**January 1, 2012,**” and inserting in lieu thereof the following:

“**August first**”; and

Further amend said bill, section and page, Lines 236 and 237, by deleting all of said lines and inserting in lieu thereof the following:

“**the persistently lowest achieving five percent of schools by using three years of Missouri assessment program for communication arts and mathematics data; and**”; and

Further amend said bill, page and section, Lines 239 to 248, and Page 13, Lines 249 to 254, by deleting all of said lines and inserting in lieu thereof the following:

“**Missouri assessment program scores three out of the last four years.**

(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.

(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.

(d) If compliance with all standards has not been achieved, the charter school and its sponsor may file a statement no later than October thirty-first, stating the reasons why the charter school should not be closed. If no such statement is filed, the charter school shall cease operation at the end of the current academic year. If a statement is timely filed, the department of elementary and secondary education shall hold a public hearing no later than January tenth to determine if the charter should be renewed. The state board of education shall review the findings from the hearing and shall vote no later than February twenty-eighth to continue the operation of the charter school and may impose conditions on its continuing operation as specified in subdivision (1) of subsection 8 of this section, or to close the charter school at the end of the current academic year.

10. A charter school shall close at the end of the current academic year if any of the following events takes place:”; and

Further amend said bill, Section 160.415, Page 19, Line 83, by deleting all of said line; and

Further amend said bill, page and section, Line 85, by inserting immediately after the word “**years**” the following:

“**;**

(5) Ensure that the lead administrator and the legal counsel of the charter school shall be direct employees of the charter school governing board; and

(6) Provide a process to ensure that the expenditures that the educational service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee”; and

Further amend said bill, Section 160.415, Page 20, Line 118, by inserting after all of said line the following:

“160.417. 1. By October 1, 2011, and by each October first thereafter, the department of elementary and secondary education shall review the information submitted on the report required by section 162.821 to identify charter schools experiencing financial stress. The department shall be authorized to obtain such additional information from a charter school as may be necessary to determine the financial condition of the charter school. Annually, a listing of charter schools identified as experiencing financial stress according to the provisions of this section shall be provided to the governor, speaker of the house, and president pro tem of the senate by the department of elementary and secondary education.

2. For the purposes of this section, a charter school shall be identified as experiencing financial stress if it:

(1) At the end of its most recently completed fiscal year:

(a) Has a negative balance in its operating funds; or

(b) Has a combined balance of less than three percent of the amount expended from such funds during the previous fiscal year; or

(2) For the most recently completed fiscal year expenditures, exceeded receipts for any of its funds because of recurring costs.

3. The department shall notify by November first the charter sponsor and the board of directors of the charter school of any charter school identified as experiencing financial stress. Upon receiving the notification, the charter sponsor shall develop, or cause to have developed, and shall approve a budget and education plan on forms provided by the department. The budget and education plan shall be submitted to the department, signed by the officers of the charter school, within forty-five calendar days of notification that the charter school has been identified as experiencing financial stress. Minimally, the budget and education plan shall:

(1) Give assurances that adequate educational services to students of the charter school shall continue uninterrupted for the remainder of the current school year and that the charter school can provide a minimum school term required by section 163.021;

(2) Outline a procedure to be followed by the charter school to report to charter school patrons about the financial condition of the charter school; and

(3) Detail the expenditure reduction measures, revenue increases, or other actions to be taken by the charter school to address its condition of financial stress.

4. Upon receipt and following review of any budget and education plan, the department may make suggestions to improve the plan. Nothing in the law shall exempt a charter school from submitting a budget and education plan to the department according to the provisions of the section following each such notification that a charter school has been identified as experiencing financial stress, except that the commissioner of elementary and secondary education may permit a charter board to make amendments to or update a budget and education plan previously submitted to the department.

5. The department may withhold any payment of financial aid otherwise due to the charter school until such time as the charter school has fully complied with this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 2** was adopted.

Representative Stream offered **House Amendment No. 3**.

Representative Long raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

House Amendment No. 3 was withdrawn.

Representative Carter offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 473, Page 5, Section 160.400, Line 137, by inserting after all of said line the following:

"19. During any time in which powers granted to the board of education of a metropolitan school district are vested in a special administrative board, the special administrative board in equal partnership with the cooperating school districts of St. Louis County or its successor organization, hereinafter referred to as "cooperating school districts", may sponsor a charter school and the special administrative board may declare itself as the local education agency of the charter school for school funding purposes. If the special administrative

board is dissolved at any time, the charter school may continue to operate provided it seeks and obtains a new sponsorship under the new governing board of a metropolitan school district and the cooperating school districts."; and

Further amend said bill, Page 6, Section 160.405, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

"(3) The term of the charter, which:

(a) Shall be [not less than] five years[, nor greater than ten years] and shall be renewable; or

(b) For any charter school sponsored by the special administrative board of a metropolitan school district in equal partnership with the cooperating school districts of St. Louis County or its successor organization, hereinafter referred to as "cooperating school districts", may be for a period of three years and may be renewable. Should a charter school sponsored by the special administrative board and cooperating school districts not perform to the academic standards initially set out in the charter agreement with the sponsor, the special administrative board and cooperating school districts, at the end of a three-year term, may close the charter school and incorporate the charter school into the metropolitan school district;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Carter, **House Amendment No. 4** was adopted.

Representative Colona offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 473, Page 2, Section 160.400, Line 22, by deleting the word "or"; and

Further amend said page and section, Line 26, by deleting "355.011." and inserting in lieu thereof the following:

"355.011; or

(8) The mayor of a city not within a county, only for a metropolitan district, beginning August 28, 2011, and ending June 30, 2016."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

1324 *Journal of the House*

Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Berry	Day	Diehl	Ellinger	Elmer
Hughes	Jones 117	May	Meadows	Nolte
Quinn	Scharnhorst	Zimmerman		

VACANCIES: 002

Representative Colona moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson

Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Berry	Day	Diehl	Hughes	Jones 117
Kelly 24	May	Meadows	Nolte	Quinn
Scharnhorst	Wright	Zimmerman		

VACANCIES: 002

On motion of Representative Jones (63), **HCS HB 473, as amended**, was adopted.

Representative Jones (89) assumed the Chair.

On motion of Representative Jones (63), **HCS HB 473, as amended**, was ordered perfected and printed.

HCS HB 828, relating to prevailing wages, was taken up by Representative Fisher.

Representative Fisher offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 828, Page 1, Section 290.210, Line 13, by deleting the words “, but not the replacement,” and inserting in lieu thereof the following:

“[, but not the replacement,] **or restoration of the material condition or operation, or the painting or repainting**”; and

Further amend said bill, page and section, Line 14, by inserting after all of said line the following:

“(5) “**Major Alteration**” means an alteration or structural change to an existing facility which increases the size, type, or extent of the facility;”; and

Further amend said section by renumbering accordingly; and

Further amend said house committee substitute, Page 2, Section 290.220, by inserting after all of said section the following:

“Section B. Because localities are delaying public works projects in light of recent judicial rulings that have made the law regarding prevailing wage unclear this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 1** was adopted by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Long	Marshall	McNary	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Mr Speaker

NOES: 060

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Curtman	Ellinger
Fallert	Funderburk	Haefner	Harris	Hinson
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kirkton	Korman	Kratky	Lampe
Lasater	Loehner	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schieffer
Schupp	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber	Wieland	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Berry	Brown 50	Day	Diehl
Dugger	Flanigan	Hughes	Kelly 24	Leara
May	Meadows	Pollock	Quinn	Shively
Zimmerman				

VACANCIES: 002

On motion of Representative Fisher, **HCS HB 828, as amended**, was adopted.

On motion of Representative Fisher, **HCS HB 828, as amended**, was ordered perfected and printed.

HCS HB 562, relating to children's services, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 562** was adopted.

On motion of Representative Grisamore, **HCS HB 562** was ordered perfected and printed.

HCS HB 579, relating to health care, was taken up by Representative Frederick.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 579, Section 191.227, Pages 1-2, Lines 12-20, by deleting all of said lines and inserting in lieu thereof the following:

“(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

(b) If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.”; and

Further amend said bill, Section 191.305, Page 3, Line 20, by deleting the word “**general**” and inserting in lieu thereof the word “**genetic**”; and

Further amend said bill, Section 191.310, Page 3, Line 19, by deleting the word “**general**” and inserting in lieu thereof the word “**genetic**”; and

Further amend said bill, section and page, Line 21, by inserting before the word “**standing**” the words “**permanent sickle cell disease**”; and

Further amend said bill, section and page, Line 26, by inserting the before the word “**sickle**” the word “**permanent**”; and

Further amend said bill and section, Page 4, Lines 34, 46, 49 and 52, by inserting before the word “**sickle**” the word “**permanent**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Lampe offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 579, Page 1, Section A, Line 4, by inserting after all of said section the following:

“172.803. 1. The board of curators, with the recommendations of the advisory board, shall award funds to selected investigators in accordance with the following provisions:

(1) Individual awards shall not exceed [thirty] **fifty** thousand dollars per year and shall expire at the end of one or two years, depending on the recommendation of the advisory board for each award;

(2) Costs for overhead of the grantee individual or institution shall not be allowed;

(3) Investigators shall be employees or staff members of public or private educational, health care, voluntary health association or research institutions which shall specify the institutional official responsible for administration of the award;

(4) Subject to the provisions of subsection 3 of section 172.801, preference shall be given to investigators new to the field of Alzheimer's disease and related disorders and to those experienced in the field but departing in a research direction different from their previous work. Lesser preference shall be given to proposals to sustain meritorious research in progress;

(5) Awards shall be used to obtain preliminary data to test hypotheses and to enable investigators to develop subsequent competitive applications for long-term funding from other sources; and

(6) The research project shall be conducted in Missouri.

2. Funds appropriated for but not awarded to research projects in any given year shall be included in the board of curators' appropriations request for research projects in the succeeding year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 2** was adopted.

Representative Brattin offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 579, Section 191.310, Page 4, Line 57, by inserting after all of said line the following:

“191.334. 1. This section shall be known and may be cited as “Chloe's Law”.

2. By January 1, 2012, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include pulse oximetry screening prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 3** was adopted.

Representative Fitzwater offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 579, Section A, Page 1, Line 4, by inserting after all of said section the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, **or any hospital district imposing a sales tax under the provisions of section 205.205**, may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city [or], county, **or hospital district** sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.”; and

Further amend said bill, Section 197.100, Page 7, Line 31, by inserting after all of said section the following:

“205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill, Section 536.031, Page 8, Line 35, by inserting after all of said section the following:

“Section B. Because of the need to adequately fund hospital districts in the state, sections 144.032 and 205.205 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 144.032 and 205.205 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 4** was adopted.

Representative Montecillo offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 579, Section A, Page 1, Line 4, by inserting after all of said section and line the following:

“8.241. 1. In addition to other provisions of law relating to title to and conveyance of real property by the state, and notwithstanding any provisions of chapter 8 to the contrary, if the state should ever purchase or otherwise acquire ownership of real property located in a city not within a county as described in subsection 2 of this section, the state shall:

(1) Use, operate and maintain such property in full compliance with all applicable deed restrictions encumbering the property;

(2) Operate, maintain and use the property exclusively by the department of mental health for the purpose of housing no more than six employed and employable [mentally retarded or] developmentally disabled adults, and for no other purpose and by no other state agency, in whole or in part;

(3) Not sell or otherwise transfer ownership of the property, unless such property is sold or transferred solely for private, single-family residential use, which shall not be deemed to include, without limitation, any sale, transfer or conveyance of ownership of the property to any other state agency or department or program.

2. The property subject to the provisions of this section is more particularly described as follows: A parcel of real estate situated in Lot 20 in Block A of Compton Heights and in Block No. 1365 of the City of St. Louis, fronting

100 feet 0-3/8 inches on the North line of Longfellow Boulevard by a depth Northwardly on the east line of a 160 square foot and 159 feet 5 inches on the West line to the North line of said lot on which there is a frontage of 100 feet bounded East by Compton Avenue together with all improvements thereon, known as and numbered 3205 Longfellow Boulevard.

178.900. For the purposes of sections 178.900 to [178.970] **178.960** the following words mean:

- (1) "Department", the department of elementary and secondary education;
- (2) "[Handicapped] **Disabled** persons", a lower range educable or upper range trainable [mentally retarded] **developmentally disabled** or other [handicapped] **disabled** person sixteen years of age or over who has had school training and has a productive work capacity in a sheltered environment adapted to the abilities of the [mentally retarded] **developmentally disabled** but whose limited capabilities make him nonemployable in competitive business and industry and unsuited for vocational rehabilitation training;
- (3) "Sheltered workshop", an occupation-oriented facility operated by a not-for-profit corporation, which, except for its staff, employs only [handicapped] **disabled** persons and has a minimum enrollment of at least fifteen employable [handicapped] **disabled** persons;
- (4) "Staff", employees of a sheltered workshop engaged in management, work procurement, purchasing, supervision, sales, bookkeeping, and secretarial and clerical functions.

189.010. 1. As used in sections 189.010 to 189.085, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Approved provider", hospitals, clinics, laboratories, or other health personnel or facilities meeting standards to be established under the provisions of sections 189.010 to 189.085;
- (2) "Department", the department of social services of the state of Missouri;
- (3) "Director", the director of the department of social services of the state of Missouri or his duly authorized representative;
- (4) "High risk patient", a woman of childbearing age who has any condition, or is at risk of developing some condition, medically or otherwise known to predispose to premature birth or to produce [mental retardation] **developmental disability**; or any infant or child who has any condition, or is at risk of developing some condition, medically known to predispose to [mental retardation] **developmental disability**;
- (5) "Person", any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose or organization of any kind, including any governmental agency other than the United States or the state of Missouri;
- (6) "Region", contiguous geographic areas of the state larger than single counties where health programs including special services for high risk patients can be developed efficiently and economically;
- (7) "Service", any medical, surgical, corrective, diagnostic procedure, or hospitalization, and related activity to correct high risk conditions including all things reasonably incident and necessary to make the service available to the high risk patient;
- (8) "Special services", diagnostic and treatment services which may not be efficiently or economically developed as a regular component of a hospital or clinic either because of high cost or infrequent demand but which may be required for high risk patients; such services would include, but not be limited to, intensive care units for the care of premature infants and intra-uterine fetal monitoring.

2. Expenditures for the operation of a hospital include, but are not limited to, amounts paid in connection with inpatient care in the hospital; ambulatory or emergency care provided by the hospital; ambulance services used in the transportation of patients to the hospital or among hospitals; administration of the hospital; maintenance and repairs of the hospital; depreciation of hospital capital assets; food, drugs, equipment and other supplies used by the hospital; and recruitment, selection and training of physician, nursing, allied health and other hospital personnel.

3. Funds approved under the provisions of sections 189.010 to 189.085 are not restricted for paying certain operating costs, or groups of costs, but are intended to supplement the appropriations from the local governmental agency for poor patients. Patients eligible for Medicare, Medicaid and other third party insurance are not eligible under this chapter.

189.065. The department is authorized and directed to work with public and private institutions and agencies or persons to insure that special services will be available in all regions of the state, both rural and metropolitan. Whenever services or special services required for the purposes of sections 189.010 to 189.085 are not available, the department is authorized to use up to ten percent of the funds appropriated for the purposes of sections 189.010 to 189.085 to assist in establishing the facilities and professional staff required. For the purposes of implementing this section, the department and the advisory committees shall give special consideration to those areas of the state or

population groups which demonstrate the highest incidence of [mental retardation] **developmental disability** or where accessibility to services or special services may be limited because of distance.”; and

Further amend said bill, Section 191.310, Page 4, Line 57, by inserting after all of said section and line the following:

“192.005. There is hereby created and established as a department of state government the "Department of Health and Senior Services". The department of health and senior services shall supervise and manage all public health functions and programs. The department shall be governed by the provisions of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, unless otherwise provided in sections 192.005 to 192.014. The division of health of the department of social services, chapter 191, this chapter, and others, including, but not limited to, such agencies and functions as the state health planning and development agency, the crippled children's service, chapter 201, the bureau and the program for the prevention of [mental retardation] **developmental disability**, the hospital subsidy program, chapter 189, the state board of health, section 191.400, the student loan program, sections 191.500 to 191.550, the family practice residency program, [sections 191.575 to 191.590.] the licensure and certification of hospitals, chapter 197, the Missouri chest hospital, sections 199.010 to 199.070, are hereby transferred to the department of health and senior services by a type I transfer, and the state cancer center and cancer commission, chapter 200, is hereby transferred to the department of health and senior services by a type III transfer as such transfers are defined in section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984. The provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984, relating to the manner and procedures for transfers of state agencies shall apply to the transfers provided in this section. The division of health of the department of social services is abolished.”; and

Further amend said bill, Section 197.100, Page 7, Line 31, by inserting after all of said section and line the following:

“198.012. 1. The provisions of sections 198.003 to 198.136 shall not apply to any of the following entities:

- (1) Any hospital, facility or other entity operated by the state or the United States;
- (2) Any facility or other entity otherwise licensed by the state and operating exclusively under such license and within the limits of such license, unless the activities and services are or are held out as being activities or services normally provided by a licensed facility under sections 198.003 to 198.186, 198.200, 208.030, and 208.159, except hospitals licensed under the provisions of chapter 197;

- (3) Any hospital licensed under the provisions of chapter 197, provided that the assisted living facility, intermediate care facility or skilled nursing facility are physically attached to the acute care hospital; and provided further that the department of health and senior services in promulgating rules, regulations and standards pursuant to section 197.080, with respect to such facilities, shall establish requirements and standards for such hospitals consistent with the intent of this chapter, and sections 198.067, 198.070, 198.090, 198.093 and 198.139 to 198.180 shall apply to every assisted living facility, intermediate care facility or skilled nursing facility regardless of physical proximity to any other health care facility;

- (4) Any facility licensed pursuant to sections 630.705 to 630.760 which provides care, treatment, habilitation and rehabilitation exclusively to persons who have a primary diagnosis of mental disorder, mental illness, [mental retardation or] **developmental disabilities**, as defined in section 630.005;

- (5) Any provider of care under a life care contract, except to any portion of the provider's premises on which the provider offers services provided by an intermediate care facility or skilled nursing facility as defined in section 198.006. For the purposes of this section, "provider of care under a life care contract" means any person contracting with any individual to furnish specified care and treatment to the individual for the life of the individual, with significant prepayment for such care and treatment.

2. Nothing in this section shall prohibit any of these entities from applying for a license under sections 198.003 to 198.136.

205.968. 1. As set forth in section 205.971, when a levy is approved by the voters, the governing body of any county or city not within a county of this state shall establish a board of directors. The board of directors shall be a legal entity empowered to establish and/or operate a sheltered workshop as defined in section 178.900, residence facilities, or related services, for the care or employment, or both, of [handicapped] **disabled** persons. The facility may operate at one or more locations in the county or city not within a county. Once established, the board may, in its own name engage in and contract for any and all types of services, actions or endeavors, not contrary to the law, necessary to the

successful and efficient prosecution and continuation of the business and purposes for which it is created, and may purchase, receive, lease or otherwise acquire, own, hold, improve, use, sell, convey, exchange, transfer, and otherwise dispose of real and personal property, or any interest therein, or other assets wherever situated and may incur liability and may borrow money at rates of interest up to the market rate published by the Missouri division of finance. The board shall be taken and considered as a "political subdivision" as the term is defined in section 70.600 for the purposes of sections 70.600 to 70.755.

2. Services may only be provided for those persons defined as [handicapped] **disabled** persons in section 178.900 and those persons defined as [handicapped persons] **disabled** in this section whether or not employed at the facility or in the community, and for persons who are [handicapped] **disabled** due to developmental disability. Persons having substantial functional limitations due to a mental illness as defined in section 630.005 shall not be eligible for services under the provisions of sections 205.968 to 205.972 except that those persons may participate in services under the provisions of sections 205.968 to 205.972. All persons otherwise eligible for facilities or services under this section shall be eligible regardless of their age; except that, individuals employed in sheltered workshops must be at least sixteen years of age. The board may, in its discretion, impose limitations with respect to individuals to be served and services to be provided. Such limitations shall be reasonable in the light of available funds, needs of the persons and community to be served as assessed by the board, and the appropriateness and efficiency of combining services to persons with various types of [handicaps or] disabilities.

3. For the purposes of sections 205.968 to 205.972, the term

(1) "Developmental disability" shall mean either or both paragraph (a) or (b) of this subsection:

(a) A disability which is attributable to mental retardation, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions, or to require habilitation similar to that required for mentally retarded persons; and

a. Which originated before age eighteen; and

b. Which can be expected to continue indefinitely;

(b) A developmental disability as defined in section 630.005;

(2) "[Handicapped] **Disabled** person" shall mean a person who is lower range educable or upper range trainable mentally retarded or a person who has a developmental disability.

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in drug court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements,

except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) **of this subsection** shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment, of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such

eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(21) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of [mental retardation] **developmental disability** program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1;

(26) Persons who are independent foster care adolescents, as defined in 42 U.S.C. Section 1396d, or who are within reasonable categories of such adolescents who are under twenty-one years of age as specified by the state, are eligible for coverage under 42 U.S.C. Section 1396a (a)(10)(A)(ii)(XVII) without regard to income or assets.

2. Rules and regulations to implement this section shall be promulgated in accordance with section 431.064 and chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove

and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C. 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955.

A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(I)."; and

Further amend said bill, Section 208.240, Page 7, Line 5, by inserting after all of said section and line the following:

"208.275. 1. As used in this section, unless the context otherwise indicates, the following terms mean:

(1) "Elderly", any person who is sixty years of age or older;

(2) "[Handicapped] **Disabled**", any person having a physical or mental condition, either permanent or temporary, which would substantially impair ability to operate or utilize available transportation.

2. There is hereby created the "Coordinating Council on Special Transportation" within the Missouri department of transportation. The members of the council shall be: two members of the senate appointed by the president pro tem, who shall be from different political parties; two members of the house of representatives appointed by the speaker, who shall be from different political parties; the assistant for transportation of the Missouri department of transportation, or his designee; the assistant commissioner of the department of elementary and secondary education, responsible for special transportation, or his designee; the director of the division of aging of the department of social services, or his designee; the deputy director for [mental retardation/] developmental disabilities and the deputy director for administration of the department of mental health, or their designees; the executive secretary of the governor's committee on the employment of the [handicapped] **disabled**; and seven consumer representatives appointed by the governor by and with the advice and consent of the senate, four of the consumer representatives shall represent the elderly and three shall represent the [handicapped] **disabled**. Two of such three members representing [handicapped]

disabled persons shall represent those with physical [handicaps] **disabilities**. Consumer representatives appointed by the governor shall serve for terms of three years or until a successor is appointed and qualified. Of the members first selected, two shall be selected for a term of three years, two shall be selected for a term of two years, and three shall be selected for a term of one year. In the event of the death or resignation of any member, his successor shall be appointed to serve for the unexpired period of the term for which such member had been appointed.

3. State agency personnel shall serve on the council without additional appropriations or compensation. The consumer representatives shall serve without compensation except for receiving reimbursement for the reasonable and necessary expenses incurred in the performance of their duties on the council from funds appropriated to the department of transportation. Legislative members shall be reimbursed by their respective appointing bodies out of the contingency fund for such body for necessary expenses incurred in the performance of their duties.

4. Staff for the council shall be provided by the Missouri department of transportation. The department shall designate a special transportation coordinator who shall have had experience in the area of special transportation, as well as such other staff as needed to enable the council to perform its duties.

5. The council shall meet at least quarterly each year and shall elect from its members a chairman and a vice chairman.

6. The coordinating council on special transportation shall:

(1) Recommend and periodically review policies for the coordinated planning and delivery of special transportation when appropriate;

(2) Identify special transportation needs and recommend agency funding allocations and resources to meet these needs when appropriate;

(3) Identify legal and administrative barriers to effective service delivery;

(4) Review agency methods for distributing funds within the state and make recommendations when appropriate;

(5) Review agency funding criteria and make recommendations when appropriate;

(6) Review area transportation plans and make recommendations for plan format and content;

(7) Establish measurable objectives for the delivery of transportation services;

(8) Review annual performance data and make recommendations for improved service delivery, operating procedures or funding when appropriate;

(9) Review local disputes and conflicts on special transportation and recommend solutions.”; and

Further amend said bill, Section 208.798, Page 7, Line 6, by inserting after all of said section and line the following:

“210.900. 1. Sections 210.900 to 210.936 shall be known and may be cited as the "Family Care Safety Act".

2. As used in sections 210.900 to 210.936, the following terms shall mean:

(1) "Child-care provider", any licensed or license-exempt child-care home, any licensed or license-exempt child-care center, child-placing agency, residential care facility for children, group home, foster family group home, foster family home, employment agency that refers a child-care worker to parents or guardians as defined in section 289.005. The term "child-care provider" does not include summer camps or voluntary associations designed primarily for recreational or educational purposes;

(2) "Child-care worker", any person who is employed by a child-care provider, or receives state or federal funds, either by direct payment, reimbursement or voucher payment, as remuneration for child-care services;

(3) "Department", the department of health and senior services;

(4) "Elder-care provider", any operator licensed pursuant to chapter 198 or any person, corporation, or association who provides in-home services under contract with the division of aging, or any employer of nurses or nursing assistants of home health agencies licensed pursuant to sections 197.400 to 197.477, or any nursing assistants employed by a hospice pursuant to sections 197.250 to 197.280, or that portion of a hospital for which subdivision (3) of subsection 1 of section 198.012 applies;

(5) "Elder-care worker", any person who is employed by an elder-care provider, or who receives state or federal funds, either by direct payment, reimbursement or voucher payment, as remuneration for elder-care services;

(6) "Employer", any child-care provider, elder-care provider, or personal-care provider as defined in this section;

(7) "Mental health provider", any [mental retardation] **developmental disability** facility or group home as defined in section 633.005;

(8) "Mental health worker", any person employed by a mental health provider to provide personal care services and supports;

- (9) "Patrol", the Missouri state highway patrol;
- (10) "Personal-care attendant" or "personal-care worker", a person who performs routine services or supports necessary for a person with a physical or mental disability to enter and maintain employment or to live independently;
- (11) "Personal-care provider", any person, corporation, or association who provides personal-care services or supports under contract with the department of mental health, the division of aging, the department of health and senior services or the department of elementary and secondary education;
- (12) "Related child care", child care provided only to a child or children by such child's or children's grandparents, great-grandparents, aunts or uncles, or siblings living in a residence separate from the child or children;
- (13) "Related elder care", care provided only to an elder by an adult child, a spouse, a grandchild, a great-grandchild or a sibling of such elder.

211.202. 1. If a child under the jurisdiction of the juvenile court appears to be mentally disordered, other than [mentally retarded or] developmentally disabled, the court, on its own motion or on the motion or petition of any interested party, may order the department of mental health to evaluate the child.

2. A mental health facility designated by the department of mental health shall perform within twenty days an evaluation of the child, on an outpatient basis if practicable, for the purpose of determining whether inpatient admission is appropriate because the following criteria are met:

- (1) The child has a mental disorder other than mental retardation or developmental disability, as all these terms are defined in chapter 630;
- (2) The child requires inpatient care and treatment for the protection of himself or others;
- (3) A mental health facility offers a program suitable for the child's needs;
- (4) A mental health facility is the least restrictive environment as the term "least restrictive environment" is defined in chapter 630.

3. If the facility determines, as a result of the evaluation, that it is appropriate to admit the child as an inpatient, the head of the mental health facility, or his designee, shall recommend the child for admission, subject to the availability of suitable accommodations, and send the juvenile court notice of the recommendation and a copy of the evaluation. Should the department evaluation recommend inpatient care, the child, his parent, guardian or counsel shall have the right to request an independent evaluation of the child. Within twenty days of the receipt of the notice and evaluation by the facility, or within twenty days of the receipt of the notice and evaluation from the independent examiner, the court may order, pursuant to a hearing, the child committed to the custody of the department of mental health for inpatient care and treatment, or may otherwise dispose of the matter; except, that no child shall be committed to a mental health facility under this section for other than care and treatment.

4. If the facility determines, as a result of the evaluation, that inpatient admission is not appropriate, the head of the mental health facility, or his designee, shall not recommend the child for admission as an inpatient. The head of the facility, or his designee, shall send to the court a notice that inpatient admission is not appropriate, along with a copy of the evaluation, within twenty days of completing the evaluation. If the child was evaluated on an inpatient basis, the juvenile court shall transfer the child from the department of mental health within twenty days of receipt of the notice and evaluation or set the matter for hearing within twenty days, giving notice of the hearing to the director of the facility as well as all others required by law.

5. If at any time the facility determines that it is no longer appropriate to provide inpatient care and treatment for the child committed by the juvenile court, but that such child appears to qualify for placement under section 630.610, the head of the facility shall refer such child for placement. Subject to the availability of an appropriate placement, the department of mental health shall place any child who qualifies for placement under section 630.610. If no appropriate placement is available, the department of mental health shall discharge the child or make such other arrangements as it may deem appropriate and consistent with the child's welfare and safety. Notice of the placement or discharge shall be sent to the juvenile court which first ordered the child's detention.

6. The committing juvenile court shall conduct an annual review of the child's need for continued placement in the mental health facility.

211.203. 1. If a child under the jurisdiction of the juvenile court appears to be mentally retarded or developmentally disabled, as these terms are defined in chapter 630, the court, on its own motion or on the motion or petition of any interested party, may order the department of mental health to evaluate the child.

2. A regional center designated by the department of mental health shall perform within twenty days a comprehensive evaluation, as defined in chapter 633, on an outpatient basis if practicable, for the purpose of determining the appropriateness of a referral to a [mental retardation] **developmental disability** facility operated or funded by the department of mental health. If it is determined by the regional center, as a result of the evaluation, to be appropriate

to refer such child to a department [mental retardation] **developmental disability** facility under section 633.120 or a private [mental retardation] **developmental disability** facility under section 630.610, the regional center shall refer the evaluation to the appropriate [mental retardation] **developmental disability** facility.

3. If, as a result of reviewing the evaluation, the head of the [mental retardation] **developmental disability** facility, or his designee, determines that it is appropriate to admit such child as a resident, the head of the [mental retardation] **developmental disability** facility, or his **or her** designee, shall recommend the child for admission, subject to availability of suitable accommodations. The head of the regional center, or his designee, shall send the juvenile court notice of the recommendation for admission by the [mental retardation] **developmental disability** facility and a copy of the evaluation. Should the department evaluation recommend residential care and habilitation, the child, his parent, guardian or counsel shall have the right to request an independent evaluation of the child. Within twenty days of receipt of the notice and evaluation from the facility, or within twenty days of the receipt of the notice and evaluation from the independent examiner, the court may order, pursuant to a hearing, the child committed to the custody of the department of mental health for residential care and habilitation, or may otherwise dispose of the matter; except, that no child shall be committed to the department of mental health for other than residential care and habilitation. If the department proposes placement at, or transferring the child to, a department facility other than that designated in the order of the juvenile court, the department shall conduct a due process hearing within six days of such placement or transfer during which the head of the initiating facility shall have the burden to show that the placement or transfer is appropriate for the medical needs of the child. The head of the facility shall notify the court ordering detention or commitment and the child's last known attorney of record of such placement or transfer.

4. If, as a result of the evaluation, the regional center determines that it is not appropriate to admit such child as a resident in a [mental retardation] **developmental disability** facility, the regional center shall send a notice to the court that it is inappropriate to admit such child, along with a copy of the evaluation. If the child was evaluated on a residential basis, the juvenile court shall transfer the child from the department within five days of receiving the notice and evaluation or set the matter for hearing within twenty days, giving notice of the hearing to the director of the facility as well as all others required by law.

5. If at any time the [mental retardation] **developmental disability** facility determines that it is no longer appropriate to provide residential habilitation for the child committed by the juvenile court, but that such child appears to qualify for placement under section 630.610, the head of the facility shall refer such child for placement. Subject to the availability of an appropriate placement, the department shall place any child who qualifies for placement under section 630.610. If no appropriate placement is available, the department shall discharge the child or make such other arrangements as it may deem appropriate and consistent with the child's welfare and safety. Notice of the placement or discharge shall be sent to the juvenile court which first ordered the child's detention.

6. The committing court shall conduct an annual review of the child's need for continued placement at the [mental retardation] **developmental disability** facility.

211.206. 1. For each child committed to the department of mental health by the juvenile court, the director of the department of mental health, or his designee, shall prepare an individualized treatment or habilitation plan, as defined in chapter 630, within thirty days of the admission for treatment or habilitation. The status of each child shall be reviewed at least once every thirty days. Copies of all individualized treatment plans, habilitation plans, and periodic reviews shall be sent to the committing juvenile court.

2. The department of mental health shall discharge a child committed to it by the juvenile court pursuant to sections 211.202 and 211.203 if the head of a mental health facility or [mental retardation] **developmental disability** facility, or his designee, determines, in an evaluation or a periodic review, that any of the following conditions are true:

(1) A child committed to a mental health facility no longer has a mental disorder other than [mental retardation or] **developmental disability**;

(2) A child committed to a [mental retardation] **developmental disability** facility is not [mentally retarded or] **developmentally disabled**;

(3) The condition of the child is no longer such that, for the protection of the child or others, the child requires inpatient hospitalization or residential habilitation;

(4) The mental health facility or [mental retardation] **developmental disability** facility does not offer a program which best meets the child's needs;

(5) The mental health facility or [mental retardation] **developmental disability** facility does not provide the least restrictive environment, as defined in section 630.005, which is consistent with the child's welfare and safety.

3. If the committing court specifically retained jurisdiction of the child by the terms of its order committing the child to the department of mental health, notice of the discharge, accompanied by a diagnosis and recommendations for placement of the child, shall be forwarded to the court at least twenty days before such discharge date. Unless within

twenty days of receipt of notice of discharge the juvenile court orders the child to be brought before it for appropriate proceedings, jurisdiction of that court over the child shall terminate at the end of such twenty days.

211.207. 1. If a child is committed to the division of youth services and subsequently appears to be mentally disordered, as defined in chapter 630, the division shall refer the child to the department of mental health for evaluation. The evaluation shall be performed within twenty days by a mental health facility or regional center operated by the department of mental health and, if practicable, on an outpatient basis, for the purpose of determining whether inpatient care at a mental health facility or residential habilitation in a [mental retardation] **developmental disability** facility is appropriate because the child meets the criteria specified in subsection 2 of section 211.202 or in section 633.120, respectively.

2. If, as a result of the evaluation, the director of the department of mental health, or his designee, determines that the child is not mentally disordered so as to require inpatient care and treatment in a mental health facility or residential habilitation in a [mental retardation] **developmental disability** facility, the director, or his designee, shall so notify the director of the division of youth services. If the child was evaluated on an inpatient or residential basis, the child shall be returned to the division of youth services.

3. If the director of the department of mental health, or his designee, determines that the child requires inpatient care and treatment at a mental health facility operated by the department of mental health or residential habilitation in a [mental retardation] **developmental disability** facility operated by the department of mental health, the director, or his designee, shall notify the director of the division of youth services that admission is appropriate. The director of the division may transfer the physical custody of the child to the department of mental health for admission to a department of mental health facility and the department of mental health shall accept the transfer subject to the availability of suitable accommodations.

4. The director of the department of mental health, or his designee, shall cause an individualized treatment or habilitation plan to be prepared by the mental health facility or [mental retardation] **developmental disability** facility for each child. The mental health facility or [mental retardation] **developmental disability** facility shall review the status of the child at least once every thirty days. If, as a result of any such review, it is determined that inpatient care and treatment at a mental health facility or residential habilitation in a [mental retardation] **developmental disability** facility is no longer appropriate for the child because the child does not meet the criteria specified in subsection 2 of section 211.202 or in section 633.120, respectively, the director of the department of mental health, or his designee, shall so notify the director of the division of youth services and shall return the child to the custody of the division.

5. If a child for any reason ceases to come under the jurisdiction of the division of youth services, he may be retained in a mental health facility or [mental retardation] **developmental disability** facility only as otherwise provided by law.

402.210. 1. There is hereby created the "Missouri Family Trust Board of Trustees", which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the governor with the advice and consent of the senate. The members' terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482 and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability or are the recipients of services provided by the department in the treatment of mental illness. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who are recipients of services provided by the department in the habilitation of the [mentally retarded or] developmentally disabled. The Missouri advisory council on [mental retardation and] developmental disabilities, created pursuant to section 633.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council on [mental retardation and] developmental disabilities shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one

for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term "immediate family" includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.

475.121. 1. Pursuant to an application alleging that the admission of the ward to a particular mental health or [mental retardation] **developmental disability** facility is appropriate and in the best interest of the ward, the court may authorize the guardian or limited guardian to admit the ward to such facility. Such application shall be accompanied by a physician's statement setting forth the factual basis for the need for continued admission including a statement of the ward's current diagnosis, plan of care, treatment or habilitation and the probable duration of the admission.

2. If the court finds that the application establishes the need for inpatient care, habilitation or treatment of the ward in a mental health or [mental retardation] **developmental disability** facility without the adduction of further evidence, it shall issue an order authorizing the guardian to admit the ward to such facility in accordance with the provisions of section 632.120 or section 633.120.

3. The court may, in its discretion, appoint an attorney to represent the ward. The attorney shall meet with the ward and may request a hearing on the application. If a hearing is requested, the court shall set the application for hearing. If there is no request for hearing, the court may rule on the application without a hearing. The attorney for the ward shall be allowed a reasonable fee for his services rendered to be assessed as costs under section 475.085.

4. Proceedings under this section may be combined with adjudication proceedings under section 475.075.

475.355. 1. If, upon the filing of a petition for the adjudication of incapacity or disability it appears that the respondent, by reason of a mental disorder or [mental retardation] **developmental disability**, presents a likelihood of serious physical harm to himself or others, he may be detained in accordance with the provisions of chapter 632 if suffering from a mental disorder, or chapter 633 if [mentally retarded] **developmentally disabled**, pending a hearing on the petition for adjudication.

2. As used in this section, the terms "mental disorder" and "mental retardation" shall be as defined in chapter 630 and the term "likelihood of serious physical harm to himself or others" shall be as defined in chapter 632.

3. The procedure for obtaining an order of temporary emergency detention shall be as prescribed by chapter 632, relating to prehearing detention of mentally disordered persons.

476.537. In the event that any judge leaving no surviving spouse or any surviving spouse receiving benefits under section 476.535 as a beneficiary dies leaving dependents who are unable to care for or support themselves because of any [mental retardation] **developmental disability**, disease or disability, or any physical [handicap or] disability, the benefits that would be received by a surviving spouse on the judge's death if there were a surviving spouse or the benefits received by such surviving spouse, as the case may be, shall be paid to such surviving dependent for the remainder of such dependent's life. If the judge or such surviving spouse leaves more than one dependent who would be eligible for benefits under this section, then each eligible dependent shall receive a pro rata share of the amount that would be paid to a surviving spouse under section 476.535."; and

Further amend said bill, Section 536.031, Page 8, Line 35, by inserting after all of said section and line the following:

"552.015. 1. Evidence that the defendant did or did not suffer mental disease or defect shall not be admissible in a criminal prosecution except as provided in this section.

2. Evidence that the defendant did or did not suffer from a mental disease or defect shall be admissible in a criminal proceeding:

(1) To determine whether the defendant lacks capacity to understand the proceedings against him or to assist in his own defense as provided in section 552.020;

- (2) To determine whether the defendant is criminally responsible as provided in section 552.030;
- (3) To determine whether a person committed to the director of the department of mental health pursuant to this chapter shall be released as provided in section 552.040;
- (4) To determine if a person in the custody of any correctional institution needs care in a mental hospital as provided in section 552.050;
- (5) To determine whether a person condemned to death shall be executed as provided in sections 552.060 and 552.070;
- (6) To determine whether or not the defendant, if found guilty, should be sentenced to death as provided in chapter 558;
- (7) To determine the appropriate disposition of a defendant, if guilty, as provided in sections 557.011 and 557.031;
- (8) To prove that the defendant did or did not have a state of mind which is an element of the offense;
- (9) To determine if the defendant, if found not guilty by reason of mental disease or defect, should be immediately conditionally released by the court under the provisions of section 552.040 to the community or committed to a mental health or [mentally retarded] **developmentally disabled** facility. This question shall not be asked regarding defendants charged with any of the dangerous felonies as defined in section 556.061, or with those crimes set forth in subsection 11 of section 552.040, or the attempts thereof.

552.020. 1. No person who as a result of mental disease or defect lacks capacity to understand the proceedings against him or to assist in his own defense shall be tried, convicted or sentenced for the commission of an offense so long as the incapacity endures.

2. Whenever any judge has reasonable cause to believe that the accused lacks mental fitness to proceed, he shall, upon his own motion or upon motion filed by the state or by or on behalf of the accused, by order of record, appoint one or more private psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, who are neither employees nor contractors of the department of mental health for purposes of performing the examination in question, to examine the accused; or shall direct the director to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals. The order shall direct that a written report or reports of such examination be filed with the clerk of the court. No private physician, psychiatrist, or psychologist shall be appointed by the court unless he has consented to act. The examinations ordered shall be made at such time and place and under such conditions as the court deems proper; except that, if the order directs the director of the department to have the accused examined, the director, or his designee, shall determine the time, place and conditions under which the examination shall be conducted. The order may include provisions for the interview of witnesses and may require the provision of police reports to the department for use in evaluations. The department shall establish standards and provide training for those individuals performing examinations pursuant to this section and section 552.030. No individual who is employed by or contracts with the department shall be designated to perform an examination pursuant to this chapter unless the individual meets the qualifications so established by the department. Any examination performed pursuant to this subsection shall be completed and filed with the court within sixty days of the order unless the court for good cause orders otherwise. Nothing in this section or section 552.030 shall be construed to permit psychologists to engage in any activity not authorized by chapter 337. One pretrial evaluation shall be provided at no charge to the defendant by the department. All costs of subsequent evaluations shall be assessed to the party requesting the evaluation.

3. A report of the examination made under this section shall include:

- (1) Detailed findings;
- (2) An opinion as to whether the accused has a mental disease or defect;
- (3) An opinion based upon a reasonable degree of medical or psychological certainty as to whether the accused, as a result of a mental disease or defect, lacks capacity to understand the proceedings against him or to assist in his own defense;
- (4) A recommendation as to whether the accused should be held in custody in a suitable hospital facility for treatment pending determination, by the court, of mental fitness to proceed; and
- (5) A recommendation as to whether the accused, if found by the court to be mentally fit to proceed, should be detained in such hospital facility pending further proceedings.

4. If the accused has pleaded lack of responsibility due to mental disease or defect or has given the written notice provided in subsection 2 of section 552.030, the court shall order the report of the examination conducted pursuant to this section to include, in addition to the information required in subsection 3 of this section, an opinion as to whether

at the time of the alleged criminal conduct the accused, as a result of mental disease or defect, did not know or appreciate the nature, quality, or wrongfulness of his conduct or as a result of mental disease or defect was incapable of conforming his conduct to the requirements of law. A plea of not guilty by reason of mental disease or defect shall not be accepted by the court in the absence of any such pretrial evaluation which supports such a defense. In addition, if the accused has pleaded not guilty by reason of mental disease or defect, and the alleged crime is not a dangerous felony as defined in section 556.061, or those crimes set forth in subsection 11 of section 552.040, or the attempts thereof, the court shall order the report of the examination to include an opinion as to whether or not the accused should be immediately conditionally released by the court pursuant to the provisions of section 552.040 or should be committed to a mental health or [mental retardation] **developmental disability** facility. If such an evaluation is conducted at the direction of the director of the department of mental health, the court shall also order the report of the examination to include an opinion as to the conditions of release which are consistent with the needs of the accused and the interest of public safety, including, but not limited to, the following factors:

- (1) Location and degree of necessary supervision of housing;
- (2) Location of and responsibilities for appropriate psychiatric, rehabilitation and aftercare services, including the frequency of such services;

- (3) Medication follow-up, including necessary testing to monitor medication compliance;

- (4) At least monthly contact with the department's forensic case monitor;

- (5) Any other conditions or supervision as may be warranted by the circumstances of the case.

5. If the report contains the recommendation that the accused should be committed to or held in a suitable hospital facility pending determination of the issue of mental fitness to proceed, and if the accused is not admitted to bail or released on other conditions, the court may order that the accused be committed to or held in a suitable hospital facility pending determination of the issue of mental fitness to proceed.

6. The clerk of the court shall deliver copies of the report to the prosecuting or circuit attorney and to the accused or his counsel. The report shall not be a public record or open to the public. Within ten days after the filing of the report, both the defendant and the state shall, upon written request, be entitled to an order granting them an examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, of their own choosing and at their own expense. An examination performed pursuant to this subsection shall be completed and a report filed with the court within sixty days of the date it is received by the department or private psychiatrist, psychologist or physician unless the court, for good cause, orders otherwise. A copy shall be furnished the opposing party.

7. If neither the state nor the accused nor his counsel requests a second examination relative to fitness to proceed or contests the findings of the report referred to in subsections 2 and 3 of this section, the court may make a determination and finding on the basis of the report filed or may hold a hearing on its own motion. If any such opinion is contested, the court shall hold a hearing on the issue. The court shall determine the issue of mental fitness to proceed and may impanel a jury of six persons to assist in making the determination. The report or reports may be received in evidence at any hearing on the issue but the party contesting any opinion therein shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue.

8. At a hearing on the issue pursuant to subsection 7 of this section, the accused is presumed to have the mental fitness to proceed. The burden of proving that the accused does not have the mental fitness to proceed is by a preponderance of the evidence and the burden of going forward with the evidence is on the party raising the issue. The burden of going forward shall be on the state if the court raises the issue.

9. If the court determines that the accused lacks mental fitness to proceed, the criminal proceedings shall be suspended and the court shall commit him to the director of the department of mental health.

10. Any person committed pursuant to subsection 9 of this section shall be entitled to the writ of habeas corpus upon proper petition to the court that committed him. The issue of the mental fitness to proceed after commitment under subsection 9 of this section may also be raised by a motion filed by the director of the department of mental health or by the state, alleging the mental fitness of the accused to proceed. A report relating to the issue of the accused's mental fitness to proceed may be attached thereto. If the motion is not contested by the accused or his counsel or if after a hearing on a motion the court finds the accused mentally fit to proceed, or if he is ordered discharged from the director's custody upon a habeas corpus hearing, the criminal proceedings shall be resumed.

11. The following provisions shall apply after a commitment as provided in this section:

- (1) Six months after such commitment, the court which ordered the accused committed shall order an examination by the head of the facility in which the accused is committed, or a qualified designee, to ascertain whether the accused is mentally fit to proceed and if not, whether there is a substantial probability that the accused will attain the mental fitness to proceed to trial in the foreseeable future. The order shall direct that written report or reports of the

examination be filed with the clerk of the court within thirty days and the clerk shall deliver copies to the prosecuting attorney or circuit attorney and to the accused or his counsel. The report required by this subsection shall conform to the requirements under subsection 3 of this section with the additional requirement that it include an opinion, if the accused lacks mental fitness to proceed, as to whether there is a substantial probability that the accused will attain the mental fitness to proceed in the foreseeable future;

(2) Within ten days after the filing of the report, both the accused and the state shall, upon written request, be entitled to an order granting them an examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, of their own choosing and at their own expense. An examination performed pursuant to this subdivision shall be completed and filed with the court within thirty days unless the court, for good cause, orders otherwise. A copy shall be furnished to the opposing party;

(3) If neither the state nor the accused nor his counsel requests a second examination relative to fitness to proceed or contests the findings of the report referred to in subdivision (1) of this subsection, the court may make a determination and finding on the basis of the report filed, or may hold a hearing on its own motion. If any such opinion is contested, the court shall hold a hearing on the issue. The report or reports may be received in evidence at any hearing on the issue but the party contesting any opinion therein relative to fitness to proceed shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue;

(4) If the accused is found mentally fit to proceed, the criminal proceedings shall be resumed;

(5) If it is found that the accused lacks mental fitness to proceed but there is a substantial probability the accused will be mentally fit to proceed in the reasonably foreseeable future, the court shall continue such commitment for a period not longer than six months, after which the court shall reinstitute the proceedings required under subdivision (1) of this subsection;

(6) If it is found that the accused lacks mental fitness to proceed and there is no substantial probability that the accused will be mentally fit to proceed in the reasonably foreseeable future, the court shall dismiss the charges without prejudice and the accused shall be discharged, but only if proper proceedings have been filed under chapter 632 or chapter 475, in which case those sections and no others will be applicable. The probate division of the circuit court shall have concurrent jurisdiction over the accused upon the filing of a proper pleading to determine if the accused shall be involuntarily detained under chapter 632, or to determine if the accused shall be declared incapacitated under chapter 475, and approved for admission by the guardian under section 632.120 or 633.120, to a mental health or retardation facility. When such proceedings are filed, the criminal charges shall be dismissed without prejudice if the court finds that the accused is mentally ill and should be committed or that he is incapacitated and should have a guardian appointed. The period of limitation on prosecuting any criminal offense shall be tolled during the period that the accused lacks mental fitness to proceed.

12. If the question of the accused's mental fitness to proceed was raised after a jury was impaneled to try the issues raised by a plea of not guilty and the court determines that the accused lacks the mental fitness to proceed or orders the accused committed for an examination pursuant to this section, the court may declare a mistrial. Declaration of a mistrial under these circumstances, or dismissal of the charges pursuant to subsection 11 of this section, does not constitute jeopardy, nor does it prohibit the trial, sentencing or execution of the accused for the same offense after he has been found restored to competency.

13. The result of any examinations made pursuant to this section shall not be a public record or open to the public.

14. No statement made by the accused in the course of any examination or treatment pursuant to this section and no information received by any examiner or other person in the course thereof, whether such examination or treatment was made with or without the consent of the accused or upon his motion or upon that of others, shall be admitted in evidence against the accused on the issue of guilt in any criminal proceeding then or thereafter pending in any court, state or federal. A finding by the court that the accused is mentally fit to proceed shall in no way prejudice the accused in a defense to the crime charged on the ground that at the time thereof he was afflicted with a mental disease or defect excluding responsibility, nor shall such finding by the court be introduced in evidence on that issue nor otherwise be brought to the notice of the jury.

552.030. 1. A person is not responsible for criminal conduct if, at the time of such conduct, as a result of mental disease or defect such person was incapable of knowing and appreciating the nature, quality, or wrongfulness of such person's conduct.

2. Evidence of mental disease or defect excluding responsibility shall not be admissible at trial of the accused unless the accused, at the time of entering such accused's plea to the charge, pleads not guilty by reason of mental disease or defect excluding responsibility, or unless within ten days after a plea of not guilty, or at such later date as the court

may for good cause permit, the accused files a written notice of such accused's purpose to rely on such defense. Such a plea or notice shall not deprive the accused of other defenses. The state may accept a defense of mental disease or defect excluding responsibility, whether raised by plea or written notice, if the accused has no other defense and files a written notice to that effect. The state shall not accept a defense of mental disease or defect excluding responsibility in the absence of any pretrial evaluation as described in this section or section 552.020. Upon the state's acceptance of the defense of mental disease or defect excluding responsibility, the court shall proceed to order the commitment of the accused as provided in section 552.040 in cases of persons acquitted on the ground of mental disease or defect excluding responsibility, and further proceedings shall be had regarding the confinement and release of the accused as provided in section 552.040.

3. Whenever the accused has pleaded mental disease or defect excluding responsibility or has given the written notice provided in subsection 2 of this section, and such defense has not been accepted as provided in subsection 2 of this section, the court shall, after notice and upon motion of either the state or the accused, by order of record, appoint one or more private psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, who are neither employees nor contractors of the department of mental health for purposes of performing the examination in question, to examine the accused, or shall direct the director of the department of mental health, or the director's designee, to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals designated by the director, or the director's designee, as qualified to perform examinations pursuant to this chapter. The order shall direct that written report or reports of such examination be filed with the clerk of the court. No private psychiatrist, psychologist, or physician shall be appointed by the court unless such psychiatrist, psychologist or physician has consented to act. The examinations ordered shall be made at such time and place and under such conditions as the court deems proper; except that, if the order directs the director of the department of mental health to have the accused examined, the director, or the director's designee, shall determine the time, place and conditions under which the examination shall be conducted. The order may include provisions for the interview of witnesses and may require the provision of police reports to the department for use in evaluation. If an examination provided in section 552.020 was made and the report of such examination included an opinion as to whether, at the time of the alleged criminal conduct, the accused, as a result of mental disease or defect, did not know or appreciate the nature, quality or wrongfulness of such accused's conduct or as a result of mental disease or defect was incapable of conforming such accused's conduct to the requirements of law, such report may be received in evidence, and no new examination shall be required by the court unless, in the discretion of the court, another examination is necessary. If an examination is ordered pursuant to this section, the report shall contain the information required in subsections 3 and 4 of section 552.020. Within ten days after receiving a copy of such report, both the accused and the state shall, upon written request, be entitled to an order granting them an examination of the accused by an examiner of such accused's or its own choosing and at such accused's or its expense. The clerk of the court shall deliver copies of the report or reports to the prosecuting or circuit attorney and to the accused or his counsel. No reports required by this subsection shall be public records or be open to the public. Any examination performed pursuant to this subsection shall be completed and the results shall be filed with the court within sixty days of the date it is received by the department or private psychiatrist, psychologist or physician unless the court, for good cause, orders otherwise.

4. If the report contains the recommendation that the accused should be held in custody in a suitable hospital facility pending trial, and if the accused is not admitted to bail, or released on other conditions, the court may order that the accused be committed to or held in a suitable hospital facility pending trial.

5. No statement made by the accused in the course of any such examination and no information received by any physician or other person in the course thereof, whether such examination was made with or without the consent of the accused or upon the accused's motion or upon that of others, shall be admitted in evidence against the accused on the issue of whether the accused committed the act charged against the accused in any criminal proceeding then or thereafter pending in any court, state or federal. The statement or information shall be admissible in evidence for or against the accused only on the issue of the accused's mental condition, whether or not it would otherwise be deemed to be a privileged communication. If the statement or information is admitted for or against the accused on the issue of the accused's mental condition, the court shall, both orally at the time of its admission and later by instruction, inform the jury that it must not consider such statement or information as any evidence of whether the accused committed the act charged against the accused.

6. All persons are presumed to be free of mental disease or defect excluding responsibility for their conduct, whether or not previously adjudicated in this or any other state to be or to have been sexual or social psychopaths, or incompetent; provided, however, the court may admit evidence presented at such adjudication based on its probative

value. The issue of whether any person had a mental disease or defect excluding responsibility for such person's conduct is one for the trier of fact to decide upon the introduction of substantial evidence of lack of such responsibility. But, in the absence of such evidence, the presumption shall be conclusive. Upon the introduction of substantial evidence of lack of such responsibility, the presumption shall not disappear and shall alone be sufficient to take that issue to the trier of fact. The jury shall be instructed as to the existence and nature of such presumption when requested by the state and, where the issue of such responsibility is one for the jury to decide, the jury shall be told that the burden rests upon the accused to show by a preponderance or greater weight of the credible evidence that the defendant was suffering from a mental disease or defect excluding responsibility at the time of the conduct charged against the defendant. At the request of the defense the jury shall be instructed by the court as to the contents of subsection 2 of section 552.040.

7. When the accused is acquitted on the ground of mental disease or defect excluding responsibility, the verdict and the judgment shall so state as well as state the offense for which the accused was acquitted. The clerk of the court shall furnish a copy of any judgment or order of commitment to the department of mental health pursuant to this section to the criminal records central repository pursuant to section 43.503.

552.040. 1. For the purposes of this section, the following words mean:

(1) "Prosecutor of the jurisdiction", the prosecuting attorney in a county or the circuit attorney of a city not within a county;

(2) "Secure facility", a state mental health facility, state [mental retardation] **developmental disability** facility, private facility under contract with the department of mental health, or a section within any of these facilities, in which persons committed to the department of mental health pursuant to this chapter, shall not be permitted to move about the facility or section of the facility, nor to leave the facility or section of the facility, without approval by the head of the facility or such head's designee and adequate supervision consistent with the safety of the public and the person's treatment, habilitation or rehabilitation plan;

(3) "Tried and acquitted" includes both pleas of mental disease or defect excluding responsibility that are accepted by the court and acquittals on the ground of mental disease or defect excluding responsibility following the proceedings set forth in section 552.030.

2. When an accused is tried and acquitted on the ground of mental disease or defect excluding responsibility, the court shall order such person committed to the director of the department of mental health for custody. The court shall also order custody and care in a state mental health or retardation facility unless an immediate conditional release is granted pursuant to this section. If the accused has not been charged with a dangerous felony as defined in section 556.061, or with murder in the first degree pursuant to section 565.020, or sexual assault pursuant to section 566.040, or the attempts thereof, and the examination contains an opinion that the accused should be immediately conditionally released to the community by the court, the court shall hold a hearing to determine if an immediate conditional release is appropriate pursuant to the procedures for conditional release set out in subsections 10 to 14 of this section. Prior to the hearing, the court shall direct the director of the department of mental health, or the director's designee, to have the accused examined to determine conditions of confinement in accordance with subsection 4 of section 552.020. The provisions of subsection 16 of this section shall be applicable to defendants granted an immediate conditional release and the director shall honor the immediate conditional release as granted by the court. If the court determines that an immediate conditional release is warranted, the court shall order the person committed to the director of the department of mental health before ordering such a release. The court granting the immediate conditional release shall retain jurisdiction over the case for the duration of the conditional release. This shall not limit the authority of the director of the department of mental health or the director's designee to revoke the conditional release or the trial release of any committed person pursuant to subsection 17 of this section. If the accused is committed to a mental health or [mental retardation] **developmental disability** facility, the director of the department of mental health, or the director's designee, shall determine the time, place and conditions of confinement.

3. The provisions of sections 630.110, 630.115, 630.130, 630.133, 630.135, 630.140, 630.145, 630.150, 630.180, 630.183, 630.192, 630.194, 630.196, 630.198, 630.805, 632.370, 632.395, and 632.435 shall apply to persons committed pursuant to subsection 2 of this section. If the department does not have a treatment or rehabilitation program for a mental disease or defect of an individual, that fact may not be the basis for a release from commitment. Notwithstanding any other provision of law to the contrary, no person committed to the department of mental health who has been tried and acquitted by reason of mental disease or defect as provided in section 552.030 shall be conditionally or unconditionally released unless the procedures set out in this section are followed. Upon request by an indigent committed person, the appropriate court may appoint the office of the public defender to represent such person in any conditional or unconditional release proceeding under this section.

4. Notwithstanding section 630.115, any person committed pursuant to subsection 2 of this section shall be kept in a secure facility until such time as a court of competent jurisdiction enters an order granting a conditional or unconditional release to a nonsecure facility.

5. The committed person or the head of the facility where the person is committed may file an application in the court that committed the person seeking an order releasing the committed person unconditionally; except that any person who has been denied an application for a conditional release pursuant to subsection 13 of this section shall not be eligible to file for an unconditional release until the expiration of one year from such denial. In the case of a person who was immediately conditionally released after being committed to the department of mental health, the released person or the director of the department of mental health, or the director's designee, may file an application in the same court that released the committed person seeking an order releasing the committed person unconditionally. Copies of the application shall be served personally or by certified mail upon the head of the facility unless the head of the facility files the application, the committed person unless the committed person files the application, or unless the committed person was immediately conditionally released, the director of the department of mental health, and the prosecutor of the jurisdiction where the committed person was tried and acquitted. Any party objecting to the proposed release must do so in writing within thirty days after service. Within a reasonable period of time after any written objection is filed, which period shall not exceed sixty days unless otherwise agreed upon by the parties, the court shall hold a hearing upon notice to the committed person, the head of the facility, if necessary, the director of the department of mental health, and the prosecutor of the jurisdiction where the person was tried. Prior to the hearing any of the parties, upon written application, shall be entitled to an examination of the committed person, by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to mentally retarded or mentally ill individuals of its own choosing and at its expense. The report of the mental condition of the committed person shall accompany the application. By agreement of all parties to the proceeding any report of the mental condition of the committed person which may accompany the application for release or which is filed in objection thereto may be received by evidence, but the party contesting any opinion therein shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue.

6. By agreement of all the parties and leave of court, the hearing may be waived, in which case an order granting an unconditional release shall be entered in accordance with subsection 8 of this section.

7. At a hearing to determine if the committed person should be unconditionally released, the court shall consider the following factors in addition to any other relevant evidence:

- (1) Whether or not the committed person presently has a mental disease or defect;
- (2) The nature of the offense for which the committed person was committed;
- (3) The committed person's behavior while confined in a mental health facility;
- (4) The elapsed time between the hearing and the last reported unlawful or dangerous act;
- (5) Whether the person has had conditional releases without incident; and

(6) Whether the determination that the committed person is not dangerous to himself or others is dependent on the person's taking drugs, medicine or narcotics. The burden of persuasion for any person committed to a mental health facility under the provisions of this section upon acquittal on the grounds of mental disease or defect excluding responsibility shall be on the party seeking unconditional release to prove by clear and convincing evidence that the person for whom unconditional release is sought does not have, and in the reasonable future is not likely to have, a mental disease or defect rendering the person dangerous to the safety of himself or others.

8. The court shall enter an order either denying the application for unconditional release or granting an unconditional release. An order denying the application shall be without prejudice to the filing of another application after the expiration of one year from the denial of the last application.

9. No committed person shall be unconditionally released unless it is determined through the procedures in this section that the person does not have, and in the reasonable future is not likely to have, a mental disease or defect rendering the person dangerous to the safety of himself or others.

10. The committed person or the head of the facility where the person is committed may file an application in the court having probate jurisdiction over the facility where the person is detained for a hearing to determine whether the committed person shall be released conditionally. In the case of a person committed to a mental health facility upon acquittal on the grounds of mental disease or defect excluding responsibility for a dangerous felony as defined in section 556.061, murder in the first degree pursuant to section 565.020, or sexual assault pursuant to section 566.040, any such application shall be filed in the court that committed the person. In such cases, jurisdiction over the application for conditional release shall be in the committing court. In the case of a person who was immediately conditionally released after being committed to the department of mental health, the released person or the director of the department of mental health, or the director's designee, may file an application in the same court that released the person seeking to amend

or modify the existing release. The procedures for application for unconditional releases set out in subsection 5 of this section shall apply, with the following additional requirements:

(1) A copy of the application shall also be served upon the prosecutor of the jurisdiction where the person is being detained, unless the released person was immediately conditionally released after being committed to the department of mental health, or unless the application was required to be filed in the court that committed the person in which case a copy of the application shall be served upon the prosecutor of the jurisdiction where the person was tried and acquitted and the prosecutor of the jurisdiction into which the committed person is to be released;

(2) The prosecutor of the jurisdiction where the person was tried and acquitted shall use their best efforts to notify the victims of dangerous felonies. Notification by the appropriate person or agency by certified mail to the most current address provided by the victim shall constitute compliance with the victim notification requirement of this section;

(3) The application shall specify the conditions and duration of the proposed release;

(4) The prosecutor of the jurisdiction where the person is being detained shall represent the public safety interest at the hearing unless the prosecutor of the jurisdiction where the person was tried and acquitted decides to appear to represent the public safety interest. If the application for release was required to be filed in the committing court, the prosecutor of the jurisdiction where the person was tried and acquitted shall represent the public safety interest. In the case of a person who was immediately conditionally released after being committed to the department of mental health, the prosecutor of the jurisdiction where the person was tried and acquitted shall appear and represent the public safety interest.

11. By agreement of all the parties, the hearing may be waived, in which case an order granting a conditional release, stating the conditions and duration agreed upon by all the parties and the court, shall be entered in accordance with subsection 13 of this section.

12. At a hearing to determine if the committed person should be conditionally released, the court shall consider the following factors in addition to any other relevant evidence:

(1) The nature of the offense for which the committed person was committed;

(2) The person's behavior while confined in a mental health facility;

(3) The elapsed time between the hearing and the last reported unlawful or dangerous act;

(4) The nature of the person's proposed release plan;

(5) The presence or absence in the community of family or others willing to take responsibility to help the defendant adhere to the conditions of the release; and

(6) Whether the person has had previous conditional releases without incident. The burden of persuasion for any person committed to a mental health facility under the provisions of this section upon acquittal on the grounds of mental disease or defect excluding responsibility shall be on the party seeking release to prove by clear and convincing evidence that the person for whom release is sought is not likely to be dangerous to others while on conditional release.

13. The court shall enter an order either denying the application for a conditional release or granting conditional release. An order denying the application shall be without prejudice to the filing of another application after the expiration of one year from the denial of the last application.

14. No committed person shall be conditionally released until it is determined that the committed person is not likely to be dangerous to others while on conditional release.

15. If, in the opinion of the head of a facility where a committed person is being detained, that person can be released without danger to others, that person may be released from the facility for a trial release of up to ninety-six hours under the following procedure:

(1) The head of the facility where the person is committed shall notify the prosecutor of the jurisdiction where the committed person was tried and acquitted and the prosecutor of the jurisdiction into which the committed person is to be released at least thirty days before the date of the proposed trial release;

(2) The notice shall specify the conditions and duration of the release;

(3) If no prosecutor to whom notice is required objects to the trial release, the committed person shall be released according to conditions and duration specified in the notice;

(4) If any prosecutor objects to the trial release, the head of the facility may file an application with the court having probate jurisdiction over the facility where the person is detained for a hearing under the procedures set out in subsections 5 and 10 of this section with the following additional requirements:

(a) A copy of the application shall also be served upon the prosecutor of the jurisdiction into which the committed person is to be released; and

(b) The prosecutor or prosecutors who objected to the trial release shall represent the public safety interest at the hearing; and

(5) The release criteria of subsections 12 to 14 of this section shall apply at such a hearing.

16. The department shall provide or shall arrange for follow-up care and monitoring for all persons conditionally released under this section and shall make or arrange for reviews and visits with the client at least monthly, or more frequently as set out in the release plan, and whether the client is receiving care, treatment, habilitation or rehabilitation consistent with his needs, condition and public safety. The department shall identify the facilities, programs or specialized services operated or funded by the department which shall provide necessary levels of follow-up care, aftercare, rehabilitation or treatment to the persons in geographical areas where they are released.

17. The director of the department of mental health, or the director's designee, may revoke the conditional release or the trial release and request the return of the committed person if such director or coordinator has reasonable cause to believe that the person has violated the conditions of such release. If requested to do so by the director or coordinator, a peace officer of a jurisdiction in which a patient on conditional release is found shall apprehend and return such patient to the facility. No peace officer responsible for apprehending and returning the committed person to the facility upon the request of the director or coordinator shall be civilly liable for apprehending or transporting such patient to the facility so long as such duties were performed in good faith and without negligence. If a person on conditional release is returned to a facility under the provisions of this subsection, a hearing shall be held within ninety-six hours, excluding Saturdays, Sundays and state holidays, to determine whether the person violated the conditions of the release or whether resumption of full-time hospitalization is the least restrictive alternative consistent with the person's needs and public safety. The director of the department of mental health, or the director's designee, shall conduct the hearing. The person shall be given notice at least twenty-four hours in advance of the hearing and shall have the right to have an advocate present.

18. At any time during the period of a conditional release or trial release, the court which ordered the release may issue a notice to the released person to appear to answer a charge of a violation of the terms of the release and the court may issue a warrant of arrest for the violation. Such notice shall be personally served upon the released person. The warrant shall authorize the return of the released person to the custody of the court or to the custody of the director of mental health or the director's designee.

19. The head of a mental health facility, upon any notice that a committed person has escaped confinement, or left the facility or its grounds without authorization, shall immediately notify the prosecutor and sheriff of the county wherein the committed person is detained of the escape or unauthorized leaving of grounds and the prosecutor and sheriff of the county where the person was tried and acquitted.

20. Any person committed to a mental health facility under the provisions of this section upon acquittal on the grounds of mental disease or defect excluding responsibility for a dangerous felony as defined in section 556.061, murder in the first degree pursuant to section 565.020, or sexual assault pursuant to section 566.040 shall not be eligible for conditional or unconditional release under the provisions of this section unless, in addition to the requirements of this section, the court finds that the following criteria are met:

(1) Such person is not now and is not likely in the reasonable future to commit another violent crime against another person because of such person's mental illness; and

(2) Such person is aware of the nature of the violent crime committed against another person and presently possesses the capacity to appreciate the criminality of the violent crime against another person and the capacity to conform such person's conduct to the requirements of law in the future.

630.003. 1. There is hereby created a department of mental health to be headed by a mental health commission who shall appoint a director, by and with the advice and consent of the senate. The director shall be the administrative head of the department and shall serve at the pleasure of the commission and be compensated as provided by law for the director, division of mental health. All employees of the department shall be selected in accordance with chapter 36.

2. (1) The "State Mental Health Commission", composed of seven members, is the successor to the former state mental health commission and it has all the powers, duties and responsibilities of the former commission. All members of the commission shall be appointed by the governor, by and with the advice and consent of the senate. None of the members shall otherwise be employed by the state of Missouri.

(2) Three of the commission members first appointed shall be appointed for terms of four years, and two shall be appointed for terms of three years, and two shall be appointed for a term of two years. The governor shall designate, at the time the appointments are made, the length of the term of each member so appointed. Thereafter all terms shall be for four years.

(3) At least two of the members of the commission shall be physicians, one of whom shall be recognized as an expert in the field of the treatment of nervous and mental diseases, and one of whom shall be recognized as an expert in the field of [mental retardation or of other] developmental disabilities. At least two of the members of the commission shall be representative of persons or groups who are consumers having substantial interest in the services provided by

the division, one of whom shall represent the [mentally retarded or] developmentally disabled and one of whom shall represent those persons being treated for nervous and mental diseases. Of the other three members at least one must be recognized for his expertise in general business management procedures, and two shall be recognized for their interest and expertise in dealing with alcohol/drug abuse problems, or community mental health services.

3. The provisions of sections 191.120, 191.125, 191.130, 191.140, 191.150, 191.160, 191.170, 191.180, 191.190, 191.200, 191.210 and others as they relate to the division of mental health not previously reassigned by executive reorganization plan number 2 of 1973 as submitted by the governor under chapter 26 are transferred by specific type transfer from the department of public health and welfare to the department of mental health. The division of mental health, department of health and welfare, chapter 202 and others are abolished and all powers, duties and functions now assigned by law to the division, the director of the divisions of mental health or any of the institutions or officials of the division are transferred by type I transfer to the department of mental health.

4. The Missouri institute of psychiatry, which is under the board of curators of the University of Missouri is hereafter to be known as the "Missouri Institute of Mental Health". The purpose of the institute will be that of conducting research into improving services for persons served by the department of mental health for fostering the training of psychiatric residents in public psychiatry and for fostering excellence in mental health services through employee training and the study of mental health policy and ethics. To assist in this training, hospitals operated by and providers contracting with the department of mental health may be used for the same purposes and under the same arrangements as the board of curators of the University of Missouri utilizes with other hospitals in the state in supervising residency training for medical doctors. Appropriations requests for the Missouri institute of mental health shall be jointly developed by the University of Missouri and the department of mental health. All appropriations for the Missouri institute of mental health shall be made to the curators of the University of Missouri but shall be submitted separately from the appropriations of the curators of the University of Missouri.

5. There is hereby established within the department of mental health a division of [mental retardation and] developmental disabilities. The director of the division shall be appointed by the director of the department. The division shall administer all state facilities under the direction and authority of the department director. The Marshall Habilitation Center, the Higginsville Habilitation Center, the Bellefontaine Habilitation Center, the Nevada Habilitation Center, the St. Louis Developmental Disabilities Treatment Centers, and the regional centers located at Albany, Columbia, Hannibal, Joplin, Kansas City, Kirksville, Poplar Bluff, Rolla, St. Louis, Sikeston and Springfield and other similar facilities as may be established, are transferred by type I transfer to the division of [mental retardation and] developmental disabilities.

6. All the duties, powers and functions of the advisory council on mental retardation and community health centers, sections 202.664 to 202.666, are hereby transferred by type I transfer to the division of mental retardation and developmental disabilities of the department of mental health. The advisory council on mental retardation and community health centers shall be appointed by the division director.

7. The advisory council on mental retardation and developmental disabilities heretofore established by executive order and all of the duties, powers and functions of the advisory council including the responsibilities of the provision of the council in regard to the Federal Development Disabilities Law (P.L. 91-517) and all amendments thereto are transferred by type I transfer to the division of mental retardation and developmental disabilities. The advisory council on mental retardation and developmental disabilities shall be appointed by the director of the division of mental retardation and developmental disabilities.

8. The advisory council on alcoholism and drug abuse, chapter 202, is transferred by type II transfer to the department of mental health and the members of the advisory council shall be appointed by the mental health director.

630.005. As used in this chapter and chapters 631, 632, and 633, unless the context clearly requires otherwise, the following terms shall mean:

- (1) "Administrative entity", a provider of specialized services other than transportation to clients of the department on behalf of a division of the department;
- (2) "Alcohol abuse", the use of any alcoholic beverage, which use results in intoxication or in a psychological or physiological dependency from continued use, which dependency induces a mental, emotional or physical impairment and which causes socially dysfunctional behavior;
- (3) "Chemical restraint", medication administered with the primary intent of restraining a patient who presents a likelihood of serious physical injury to himself or others, and not prescribed to treat a person's medical condition;
- (4) "Client", any person who is placed by the department in a facility or program licensed and funded by the department or who is a recipient of services from a regional center, as defined in section 633.005;
- (5) "Commission", the state mental health commission;
- (6) "Consumer", a person:

- (a) Who qualifies to receive department services; or
- (b) Who is a parent, child or sibling of a person who receives department services; or
- (c) Who has a personal interest in services provided by the department. A person who provides services to persons affected by [mental retardation,] developmental disabilities, mental disorders, mental illness, or alcohol or drug abuse shall not be considered a consumer;
- (7) "Day program", a place conducted or maintained by any person who advertises or holds himself out as providing prevention, evaluation, treatment, habilitation or rehabilitation for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse for less than the full twenty-four hours comprising each daily period;
- (8) "Department", the department of mental health of the state of Missouri;
- (9) "Developmental disability", a disability:
 - (a) Which is attributable to:
 - a. Mental retardation, cerebral palsy, epilepsy, head injury or autism, or a learning disability related to a brain dysfunction; or
 - b. Any other mental or physical impairment or combination of mental or physical impairments; and
 - (b) Is manifested before the person attains age twenty- two; and
 - (c) Is likely to continue indefinitely; and
 - (d) Results in substantial functional limitations in two or more of the following areas of major life activities:
 - a. Self-care;
 - b. Receptive and expressive language development and use;
 - c. Learning;
 - d. Self-direction;
 - e. Capacity for independent living or economic self- sufficiency;
 - f. Mobility; and
 - (e) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, habilitation or other services which may be of lifelong or extended duration and are individually planned and coordinated;
- (10) "Director", the director of the department of mental health, or his designee;
- (11) "Domiciled in Missouri", a permanent connection between an individual and the state of Missouri, which is more than mere residence in the state; it may be established by the individual being physically present in Missouri with the intention to abandon his previous domicile and to remain in Missouri permanently or indefinitely;
- (12) "Drug abuse", the use of any drug without compelling medical reason, which use results in a temporary mental, emotional or physical impairment and causes socially dysfunctional behavior, or in psychological or physiological dependency resulting from continued use, which dependency induces a mental, emotional or physical impairment and causes socially dysfunctional behavior;
- (13) "Habilitation", a process of treatment, training, care or specialized attention which seeks to enhance and maximize the [mentally retarded or] developmentally disabled person's abilities to cope with the environment and to live as normally as possible;
- (14) "Habilitation center", a residential facility operated by the department and serving only persons who are [mentally retarded, including] developmentally disabled;
- (15) "Head of the facility", the chief administrative officer, or his designee, of any residential facility;
- (16) "Head of the program", the chief administrative officer, or his designee, of any day program;
- (17) "Individualized habilitation plan", a document which sets forth habilitation goals and objectives for [mentally retarded or] developmentally disabled residents and clients, and which details the habilitation program as required by law, rules and funding sources;
- (18) "Individualized rehabilitation plan", a document which sets forth the care, treatment and rehabilitation goals and objectives for patients and clients affected by alcohol or drug abuse, and which details the rehabilitation program as required by law, rules and funding sources;
- (19) "Individualized treatment plan", a document which sets forth the care, treatment and rehabilitation goals and objectives for mentally disordered or mentally ill patients and clients, and which details the treatment program as required by law, rules and funding sources;
- (20) "Investigator", an employee or contract agent of the department of mental health who is performing an investigation regarding an allegation of abuse or neglect or an investigation at the request of the director of the department of mental health or his designee;
- (21) "Least restrictive environment", a reasonably available setting or mental health program where care, treatment, habilitation or rehabilitation is particularly suited to the level and quality of services necessary to implement

a person's individualized treatment, habilitation or rehabilitation plan and to enable the person to maximize his functioning potential to participate as freely as feasible in normal living activities, giving due consideration to potentially harmful effects on the person and the safety of other facility or program clients and public safety. For some mentally disordered or [mentally retarded] **developmentally disabled** persons, the least restrictive environment may be a facility operated by the department, a private facility, a supported community living situation, or an alternative community program designed for persons who are civilly detained for outpatient treatment or who are conditionally released pursuant to chapter 632;

(22) "Mental disorder", any organic, mental or emotional impairment which has substantial adverse effects on a person's cognitive, volitional or emotional function and which constitutes a substantial impairment in a person's ability to participate in activities of normal living;

(23) "Mental illness", a state of impaired mental processes, which impairment results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perceptions or alterations of mood, and interferes with an individual's ability to reason, understand or exercise conscious control over his actions. The term "mental illness" does not include the following conditions unless they are accompanied by a mental illness as otherwise defined in this subdivision:

- (a) Mental retardation, developmental disability or narcolepsy;
- (b) Simple intoxication caused by substances such as alcohol or drugs;
- (c) Dependence upon or addiction to any substances such as alcohol or drugs;
- (d) Any other disorders such as senility, which are not of an actively psychotic nature;
- (24) "Mental retardation", significantly subaverage general intellectual functioning which:
- (a) Originates before age eighteen; and
- (b) Is associated with a significant impairment in adaptive behavior;

- (25) "Minor", any person under the age of eighteen years;
- (26) "Patient", an individual under observation, care, treatment or rehabilitation by any hospital or other mental

health facility or mental health program pursuant to the provisions of chapter 632;

- (27) "Psychosurgery",

(a) Surgery on the normal brain tissue of an individual not suffering from physical disease for the purpose of changing or controlling behavior; or

(b) Surgery on diseased brain tissue of an individual if the sole object of the surgery is to control, change or affect behavioral disturbances, except seizure disorders;

(28) "Rehabilitation", a process of restoration of a person's ability to attain or maintain normal or optimum health or constructive activity through care, treatment, training, counseling or specialized attention;

(29) "Residence", the place where the patient has last generally lodged prior to admission or, in case of a minor, where his family has so lodged; except, that admission or detention in any facility of the department shall not be deemed an absence from the place of residence and shall not constitute a change in residence;

(30) "Resident", a person receiving residential services from a facility, other than mental health facility, operated, funded or licensed by the department;

(31) "Residential facility", any premises where residential prevention, evaluation, care, treatment, habilitation or rehabilitation is provided for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse; except the person's dwelling;

(32) "Specialized service", an entity which provides prevention, evaluation, transportation, care, treatment, habilitation or rehabilitation services to persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse;

(33) "Vendor", a person or entity under contract with the department, other than as a department employee, who provides services to patients, residents or clients;

(34) "Vulnerable person", any person in the custody, care, or control of the department that is receiving services from an operated, funded, licensed, or certified program.

630.010. 1. The state mental health commission, established by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be composed of seven members appointed by the governor, by and with the advice and consent of the senate. The terms of members appointed under the reorganization act before August 13, 1980, shall continue until the terms under which the members were regularly appointed expire. The terms shall be for four years. Each commissioner shall hold office until his successor has been appointed and qualified.

2. The commission shall be comprised of members who are not prohibited from serving by sections 105.450 to 105.482, as amended, and who are not otherwise employed by the state. The commission shall be composed of the following:

- (1) A physician recognized as an expert in the treatment of mental illness;
 - (2) A physician recognized as an expert in the evaluation or habilitation of the [mentally retarded and] developmentally disabled;
 - (3) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the treatment of mental illness;
 - (4) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the habilitation of the [mentally retarded] **developmentally disabled**;
 - (5) A person recognized for his expertise in general business matters and procedures;
 - (6) A person recognized for his interest and expertise in dealing with alcohol or drug abuse; and
 - (7) A person recognized for his interest or expertise in community mental health services.
3. Vacancies occurring on the commission shall be filled by appointment by the governor, by and with the advice and consent of the senate, for the unexpired terms. In case of a vacancy when the senate is not in session, the governor shall make a temporary appointment until the next session of the general assembly, when he shall nominate someone to fill the office.
4. The commission shall elect from its members a chairman and a secretary. Meetings shall be held at least once a month, and special meetings may be held at the call of the chairman.
5. The department shall pay the commission members one hundred dollars per day for each day, or portion thereof, they actually spend in transacting the business of the commission and shall reimburse the commission members for necessary expenses actually incurred in the performance of their official duties.

630.097. 1. The department of mental health shall develop, in partnership with all departments represented on the children's services commission, a unified accountable comprehensive children's mental health service system. The department of mental health shall establish a state interagency comprehensive children's mental health service system team comprised of representation from:

- (1) Family-run organizations and family members;
- (2) Child advocate organizations;
- (3) The department of health and senior services;
- (4) The department of social services' children's division, division of youth services, and the division of medical services;
- (5) The department of elementary and secondary education;
- (6) The department of mental health's division of alcohol and drug abuse, division of [mental retardation and] developmental disabilities, and the division of comprehensive psychiatric services;
- (7) The department of public safety;
- (8) The office of state courts administrator;
- (9) The juvenile justice system; and
- (10) Local representatives of the member organizations of the state team to serve children with emotional and behavioral disturbance problems, developmental disabilities, and substance abuse problems. The team shall be called "The Comprehensive System Management Team". There shall be a stakeholder advisory committee to provide input to the comprehensive system management team to assist the departments in developing strategies and to ensure positive outcomes for children are being achieved. The department of mental health shall obtain input from appropriate consumer and family advocates when selecting family members for the comprehensive system management team, in consultation with the departments that serve on the children's services commission. The implementation of a comprehensive system shall include all state agencies and system partner organizations involved in the lives of the children served. These system partners may include private and not-for-profit organizations and representatives from local system of care teams and these partners may serve on the stakeholder advisory committee. The department of mental health shall promulgate rules for the implementation of this section in consultation with all of the departments represented on the children's services commission.

2. The department of mental health shall, in partnership with the departments serving on the children's services commission and the stakeholder advisory committee, develop a state comprehensive children's mental health service system plan. This plan shall be developed and submitted to the governor, the general assembly, and children's services commission by December, 2004. There shall be subsequent annual reports that include progress toward outcomes, monitoring, changes in populations and services, and emerging issues. The plan shall:

- (1) Describe the mental health service and support needs of Missouri's children and their families, including the specialized needs of specific segments of the population;
- (2) Define the comprehensive array of services including services such as intensive home-based services, early intervention services, family support services, respite services, and behavioral assistance services;

- (3) Establish short- and long-term goals, objectives, and outcomes;
- (4) Describe and define the parameters for local implementation of comprehensive children's mental health system teams;
- (5) Describe and emphasize the importance of family involvement in all levels of the system;
- (6) Describe the mechanisms for financing, and the cost of implementing the comprehensive array of services;
- (7) Describe the coordination of services across child- serving agencies and at critical transition points, with emphasis on the involvement of local schools;
- (8) Describe methods for service, program, and system evaluation;
- (9) Describe the need for, and approaches to, training and technical assistance; and
- (10) Describe the roles and responsibilities of the state and local child-serving agencies in implementing the comprehensive children's mental health care system.

3. The comprehensive system management team shall collaborate to develop uniform language to be used in intake and throughout the provision of services.

4. The comprehensive children's mental health services system shall:

(1) Be child centered, family focused, strength based, and family driven, with the needs of the child and family dictating the types and mix of services provided, and shall include the families as full participants in all aspects of the planning and delivery of services;

(2) Provide community-based mental health services to children and their families in the context in which the children live and attend school;

(3) Respond in a culturally competent and responsive manner;

(4) Emphasize prevention, early identification, and intervention;

(5) Assure access to a continuum of services that:

(a) Educate the community about the mental health needs of children;

(b) Address the unique physical, behavioral, emotional, social, developmental, and educational needs of children;

(c) Are coordinated with the range of social and human services provided to children and their families by local school districts, **the departments of** social services, health and senior services, **and** public safety, juvenile offices, and the juvenile and family courts;

(d) Provide a comprehensive array of services through an integrated service plan;

(e) Provide services in the least restrictive most appropriate environment that meets the needs of the child; and

(f) Are appropriate to the developmental needs of children;

(6) Include early screening and prompt intervention to:

(a) Identify and treat the mental health needs of children in the least restrictive environment appropriate to their needs; and

(b) Prevent further deterioration;

(7) Address the unique problems of paying for mental health services for children, including:

(a) Access to private insurance coverage;

(b) Public funding, including:

a. Assuring that funding follows children across departments; and

b. Maximizing federal financial participation;

(c) Private funding and services;

(8) Assure a smooth transition from child to adult mental health services when needed;

(9) Coordinate a service delivery system inclusive of services, providers, and schools that serve children and youth with emotional and behavioral disturbance problems, and their families through state agencies that serve on the state comprehensive children's management team; and

(10) Be outcome based.

5. By August 28, 2007, and periodically thereafter, the children's services commission shall conduct and distribute to the general assembly an evaluation of the implementation and effectiveness of the comprehensive children's mental health care system, including an assessment of family satisfaction and the progress of achieving outcomes.

630.120. No patient or resident, either voluntary or involuntary, shall be presumed to be incompetent, to forfeit any legal right, responsibility or obligation or to suffer any legal disability as a citizen, unless otherwise prescribed by law, as a consequence of receiving evaluation, care, treatment, habilitation or rehabilitation for a mental disorder, mental illness, [mental retardation,] developmental disability, alcohol problem or drug problem.

630.165. 1. When any physician, physician assistant, dentist, chiropractor, optometrist, podiatrist, intern, resident, nurse, nurse practitioner, medical examiner, social worker, licensed professional counselor, certified substance abuse counselor, psychologist, other health practitioner, minister, Christian Science practitioner, peace officer, pharmacist, physical therapist, facility administrator, nurse's aide, orderly or any other direct-care staff in a residential facility, day program, group home or [mental retardation] **developmental disability** facility as defined in section 633.005, or specialized service operated, licensed, certified, or funded by the department or in a mental health facility or mental health program in which people may be admitted on a voluntary basis or are civilly detained pursuant to chapter 632, or employee of the departments of social services, mental health, or health and senior services; or home health agency or home health agency employee; hospital and clinic personnel engaged in examination, care, or treatment of persons; in-home services owner, provider, operator, or employee; law enforcement officer, long-term care facility administrator or employee; mental health professional, probation or parole officer, or other nonfamilial person with responsibility for the care of a patient, resident, or client of a facility, program, or service has reasonable cause to suspect that a patient, resident or client of a facility, program or service has been subjected to abuse or neglect or observes such person being subjected to conditions or circumstances that would reasonably result in abuse or neglect, he or she shall immediately report or cause a report to be made to the department in accordance with section 630.163.

2. Any person who knowingly fails to make a report as required in subsection 1 of this section is guilty of a class A misdemeanor and shall be subject to a fine up to one thousand dollars. Penalties collected for violations of this section shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

3. Every person who has been previously convicted of or pled guilty to failing to make a report as required in subsection 1 of this section and who is subsequently convicted of failing to make a report under subsection 2 of this section is guilty of a class D felony and shall be subject to a fine up to five thousand dollars. Penalties collected for violation of this subsection shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

4. Any person who knowingly files a false report of vulnerable person abuse or neglect is guilty of a class A misdemeanor and shall be subject to a fine up to one thousand dollars. Penalties collected for violations of this subsection shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

5. Every person who has been previously convicted of or pled guilty to making a false report to the department and who is subsequently convicted of making a false report under subsection 4 of this section is guilty of a class D felony and shall be subject to a fine up to five thousand dollars. Penalties collected for violations of this subsection shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

6. Evidence of prior convictions of false reporting shall be heard by the court, out of the hearing of the jury, prior to the submission of the case to the jury, and the court shall determine the existence of the prior convictions.

7. Any residential facility, day program, or specialized service operated, funded, or licensed by the department that prevents or discourages a patient, resident, [or] client, employee, or other person from reporting that a patient, resident, or client of a facility, program, or service has been abused or neglected shall be subject to loss of their license issued pursuant to sections 630.705 to 630.760 and civil fines of up to five thousand dollars for each attempt to prevent or discourage reporting.

630.183. Subject to other provisions of this chapter, the head of a mental health or [mental retardation] **developmental disability** facility may authorize the medical and surgical treatment of a patient or resident under the following circumstances:

- (1) Upon consent of a patient or resident who is competent;
- (2) Upon consent of a parent or legal guardian of a patient or resident who is a minor or legally incapacitated;
- (3) Pursuant to the provisions of chapter 431;
- (4) Pursuant to an order of a court of competent jurisdiction.

630.192. No biomedical or pharmacological research shall be conducted in any mental health facility or mental health program in which people may be civilly detained pursuant to chapter 632 or in any public or private residential facilities or day programs operated, funded or licensed by the department for persons affected by [mental retardation,] developmental disabilities, mental illness, mental disorders or alcohol or drug abuse unless such research is intended to alleviate or prevent the disabling conditions or is reasonably expected to be of direct therapeutic benefit to the

participants. Without a specific court order, no involuntary patient shall consent to participate in any biomedical or pharmacological research. The application for the order shall be filed in the court having probate jurisdiction in the county in which the mental health facility is located, provided, however, that if the patient requests that the hearing be held by the court which has committed the patient, or if the court having probate jurisdiction deems it appropriate, the hearing on the application shall be transferred to the committing court.

630.210. 1. The director shall determine the maximum amount for services which shall be charged in each of the residential facilities, day programs or specialized services operated or funded by the department for full-time or part-time inpatient, resident or outpatient evaluation, care, treatment, habilitation, rehabilitation or other service rendered to persons affected by mental disorder, mental illness, [mental retardation,] developmental disability or drug or alcohol abuse. The maximum charge shall be related to the per capita inpatient cost or actual outpatient evaluation or other service costs of each facility, program or service, which may vary from one locality to another. The director shall promulgate rules setting forth a reasonable standard means test which shall be applied by all facilities, programs and services operated or funded by the department in determining the amount to be charged to persons receiving services. The department shall pay, out of funds appropriated to it for such purpose, all or part of the costs for the evaluation, care, treatment, habilitation, rehabilitation or room and board provided or arranged by the department for any patient, resident or client who is domiciled in Missouri and who is unable to pay fully for services.

2. The director shall apply the standard means test annually and may make application of the test upon his own initiative or upon request of an interested party whenever evidence is offered tending to show that the current support status of any patient, resident or client is no longer proper. Any change of support status shall be retroactive to the date of application or request for review. If the persons responsible to pay under section 630.205 or 552.080 refuse to cooperate in providing information necessary to properly apply the test or if retroactive benefits are paid on behalf of the patient, resident or client, the charges may be retroactive to a date prior to the date of application or request for review. The decision of the director in determining the amount to be charged for services to a patient, resident or client shall be final. Appeals from the determination may be taken to the circuit court of Cole County or the county where the person responsible for payment resides in the manner provided by chapter 536.

3. The department shall not pay for services provided to a patient, resident or client who is not domiciled in Missouri unless the state is fully reimbursed for the services; except that the department may pay for services provided to a transient person for up to thirty days pending verification of his domiciliary state, and for services provided for up to thirty days in an emergency situation. The director shall promulgate rules for determination of the domiciliary state of any patient, resident or client receiving services from a facility, program or service operated or funded by the department.

4. Whenever a patient, resident or client is receiving services from a residential facility, day program or specialized service operated or funded by the department, and the state, county, municipality, parent, guardian or other person responsible for support of the patient, resident or client fails to pay any installment required to be paid for support, the department or the residential facility, day program or specialized service may discharge the patient, resident or client as provided by chapter 31. The patient, resident or client shall not be discharged under this subsection until the final disposition of any appeal filed under subsection 2 of this section.

5. The standard means test may be waived for a child in need of mental health services to avoid inappropriate custody transfers to the children's division. The department of mental health shall notify the child's parent or custodian that the standard means test may be waived. The department of mental health shall promulgate rules for waiving the standard means test. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

630.335. 1. With the approval of the director, the head of any of the department's mental health or [mental retardation] **developmental disability** facilities or regional centers may establish and operate a canteen or commissary for the use and benefit of patients, residents and employees.

2. Each facility or center shall keep revenues received from the canteen or commissary established and operated by the head of the facility in a separate account. The acquisition cost of goods sold and other expenses shall be paid from this account. A minimum amount of money necessary to meet cash flow needs and current operating expenses may be kept in this account. The remaining funds from sales of each commissary or canteen shall be deposited monthly in the state treasury to the credit of the mental health trust fund. The money in the fund shall be expended, upon appropriation,

for the benefit of the patients in the improvement of the recreation, habilitation or treatment services or equipment of the facility or center from which derived. The provisions of section 33.080 to the contrary notwithstanding, the money in the mental health trust fund shall be retained for the purposes specified in this section and shall not revert or be transferred to general revenue. The department of mental health shall keep accurate records of the source of money deposited in the mental health trust fund and shall allocate appropriations from the fund to the appropriate institution, facility or center.

630.405. 1. The department may purchase services for patients, residents or clients from private and public vendors in this state with funds appropriated for this purpose.

2. Services that may be purchased may include prevention, diagnosis, evaluation, treatment, habilitation, rehabilitation, transportation and other special services for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse.

3. The commissioner of administration, in consultation with the director, shall promulgate rules establishing procedures consistent with the usual state purchasing procedures pursuant to chapter 34 for the purchase of services pursuant to this section. The commissioner may authorize the department to purchase any technical service which, in his judgment, can best be purchased direct pursuant to chapter 34. The commissioner shall cooperate with the department to purchase timely services appropriate to the needs of the patients, residents or clients of the department.

4. The commissioner of administration may promulgate rules authorizing the department to review, suspend, terminate, or otherwise take remedial measures with respect to contracts with vendors as defined in subsection 1 of this section that fail to comply with the requirements of section 210.906.

5. The commissioner of administration may promulgate rules for a waiver of chapter 34 bidding procedures for the purchase of services for patients, residents and clients with funds appropriated for that purpose if, in the commissioner's judgment, such services can best be purchased directly by the department.

6. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

630.425. 1. The department may make incentive grants from funds specifically appropriated for this purpose to private and public entities seeking to establish a residential facility, day program or specialized service for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse in unserved, underserved or inappropriately served areas of the state.

2. The department shall promulgate rules establishing procedures for monitoring and auditing such grants.

3. The grants shall be of limited duration of one year and renewable for only one additional year if the funds are appropriated for this purpose.

630.510. At least once every three years, the department shall conduct a complete statewide inventory of its existing facilities and a survey of needs for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities and alcohol or drug abuse, and shall make a public report of its inventory and survey and recommend a state plan for the construction of additional facilities.

630.605. The department shall establish a placement program for persons affected by a mental disorder, mental illness, [mental retardation,] developmental disability or alcohol or drug abuse. The department may utilize residential facilities, day programs and specialized services which are designed to maintain a person who is accepted in the placement program in the least restrictive environment in accordance with the person's individualized treatment, habilitation or rehabilitation plan. The department shall license, certify and fund, subject to appropriations, a continuum of facilities, programs and services short of admission to a department facility to accomplish this purpose.

630.610. 1. If the head of a facility operated by the department determines that placement out of the facility would be appropriate for any patient or resident, the head of the facility shall refer the patient or resident for placement according to the department's rules. If a patient or resident is accepted and placed under this chapter, then the patient or resident shall be considered as discharged as a patient or resident of the facility and reclassified as a client of the department.

2. Any person, his authorized representative, his parent, if the person is a minor, his guardian, a court of competent jurisdiction or a state or private facility or agency having custody of the person may apply for placement of the person under this chapter.

3. If the department finds the application to be appropriate after review, it shall provide for or arrange for a comprehensive evaluation, and the preparation of an individualized treatment, habilitation or rehabilitation plan of the

person seeking to be placed, whether from a department facility or directly, to determine if he meets the following criteria:

(1) The person is affected by a mental disorder, mental illness, [mental retardation,] developmental disability or alcohol or drug abuse; and

(2) The person is in need of special care, treatment, habilitation or rehabilitation services as described in this chapter, including room or board, or both; provided, however, that no person shall be accepted for placement if the sole reason for the application or referral is that residential placement is necessary for a school-aged child, as defined in chapter 162, to receive an appropriate special education.

630.635. 1. If a resident in a [mental retardation] **developmental disability** facility, or his parent if he is a minor, or his legal guardian refuses to consent to the proposed placement, the head of the [mental retardation] **developmental disability** facility may petition, under the procedures in section 633.135, the director of the division of [mental retardation and] developmental disabilities to determine whether the proposed placement is appropriate under chapter 633.

2. If a patient in a mental health facility, or his parent if he is a minor, or his legal guardian refuses to consent to the proposed placement, the head of the mental health facility may petition the director of the division of comprehensive psychiatric services to determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620.

3. The director of the division of comprehensive psychiatric services shall refer the petition to the chairman of the state advisory council for his division who shall appoint and convene a review panel composed of three members. At least one member of the panel shall be a family member or guardian of a patient who resides in a mental health facility operated by the department. The remaining members of the panel shall be persons who are from nongovernmental organizations or groups concerned with the prevention of mental disorders, evaluation, care, treatment or rehabilitation of persons affected by the same conditions as the patient the department seeks to place and who are familiar with services and service needs of persons in mental health facilities operated by the department. No member of the panel shall be an officer or employee of the department.

4. After prompt notice and hearing, the panel shall determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620. The hearing shall be electronically recorded for purposes of obtaining a transcript. The council shall forward the tape recording, recommended findings of fact, conclusions of law, and decision to the director who shall enter findings of fact, conclusions of law, and the final decision. Notice of the director's decision shall be sent to the patient, or his parent if he is a minor, or his guardian by registered mail, return receipt requested. The director shall expedite this review in all respects.

5. If the patient, or his parent if he is a minor, or his guardian disagrees with the decision of the director, he may appeal the decision, within thirty days after notice of the decision is sent, to the circuit court of the county where the patient or resident, or his parent if he is a minor, or his guardian resides. The court shall review the record, proceedings and decision of the director not only under the provisions of chapter 536, but also as to whether or not the head of the facility or the department sustained its burden of proof that the proposed placement is appropriate under sections 630.110, 630.115 and 630.120. The court shall expedite this review in all respects. Notwithstanding the provisions of section 536.140, a court may, for good cause shown, hear and consider additional competent and material evidence.

6. The notice and procedure for the hearing by the panel shall be in accordance with chapter 536.

7. In all proceedings either before the panel or before the circuit court, the burden of proof shall be upon the head of the facility to demonstrate by a preponderance of evidence that the proposed placement is appropriate under the criteria set forth in sections 630.610, 630.615 and 630.120.

8. Pending the convening of the hearing panel and the final decision of the director or the court if the director's decision is appealed, the department shall not place or discharge the patient from a facility except that the department may temporarily transfer such patient in the case of a medical emergency.

9. There shall be no retaliation against any state employee as the result of a good faith decision to place the patient which is appealed and who testifies during a hearing or otherwise provides information or evidence in regard to a proposed placement.

630.705. 1. The department shall promulgate rules setting forth reasonable standards for residential facilities and day programs for persons who are affected by a mental disorder, mental illness, [mental retardation] or developmental disability.

2. The rules shall provide for the facilities and programs to be reasonably classified as to resident or client population, size, type of services or other reasonable classification. The department shall design the rules to promote

and regulate safe, humane and adequate facilities and programs for the care, treatment, habilitation and rehabilitation of persons described in subsection 1 of this section.

3. The following residential facilities and day programs shall not be licensed by the department:
 - (1) Any facility or program which relies solely upon the use of prayer or spiritual healing;
 - (2) Any educational, special educational or vocational program operated, certified or approved by the state board of education pursuant to chapters 161, 162 and 178, and regulations promulgated by the board;
 - (3) Any hospital, facility, program or entity operated by this state or the United States; except that facilities operated by the department shall meet these standards;
 - (4) Any hospital, facility or other entity, excluding those with persons who are [mentally retarded and] developmentally disabled as defined in section 630.005 otherwise licensed by the state and operating under such license and within the limits of such license, unless the majority of the persons served receive activities and services normally provided by a licensed facility pursuant to this chapter;
 - (5) Any hospital licensed by the department of social services as a psychiatric hospital pursuant to chapter 197;
 - (6) Any facility or program accredited by the Joint Commission on Accreditation of Hospitals, the American Osteopathic Association, Accreditation Council for Services for Mentally Retarded or other Developmentally Disabled Persons, Council on Accreditation of Services for Children and Families, Inc., or the Commission on Accreditation of Rehabilitation Facilities;
 - (7) Any facility or program caring for less than four persons whose care is not funded by the department.

630.715. 1. The department shall establish a procedure for the licensing of residential facilities and day programs for persons described in section 630.705, which procedure shall provide for the acceptance of a license, a temporary operating permit or a probationary license issued by the department of social services under sections 198.006 to 198.096 as regards the licensing requirements in the following areas:

- (1) General medical and health care;
- (2) Adequate physical plant facilities including fire safety, housekeeping and maintenance standards;
- (3) Food service facilities;
- (4) Safety precautions;
- (5) Drugs and medications;
- (6) Uniform system of record keeping;
- (7) Resident and client rights and grievance procedures.

However, the department shall require annually that any facilities and programs already licensed by the department of social services under chapter 198 which desire to provide services to persons diagnosed as mentally disordered, mentally ill, [mentally retarded] or developmentally disabled in accordance with sections 630.705 to 630.760 meet the department's requirements in excess of those required for licensure or certification under chapter 198, which are appropriate to admission criteria and care, treatment, habilitation and rehabilitation needs of such persons.

2. Applications for licenses shall be made to the department upon forms provided by it and shall contain such information and documents as the department requires, including, but not limited to, affirmative evidence of ability to comply with the rules adopted by the department. Each application for a license, except applications from a governmental unit or a facility caring for less than four persons, which shall not pay any fee, shall be accompanied by a license fee of ten dollars for establishments which accept more than three but less than ten persons and fifty dollars from establishments which accept ten or more. The license fee shall be paid to the director of revenue for deposit to the general revenue fund of the state treasury.

3. An applicant for a license shall submit an affidavit under oath that all documents required by the department to be filed pursuant to this section are true and correct to the best of his knowledge and belief, that the statements contained in the application are true and correct to the best of his knowledge and belief and that all required documents are either included with the application or are currently on file with the department.

630.735. 1. No person or governmental unit, acting separately or jointly with any other person or governmental unit, shall establish, conduct or maintain any residential facility in this state for the care, treatment, habilitation or rehabilitation of [mentally retarded or] developmentally disabled persons without a valid license issued by the department. Licenses in effect on August 13, 1982, shall continue in effect until they regularly expire unless sooner revoked; except that in no case shall a license continue in effect beyond one year after August 13, 1982.

2. After October 1, 1983, no person or governmental unit, acting separately or jointly with any other person or governmental unit, shall establish, conduct or maintain any residential facility or day program in this state for care,

treatment, habilitation or rehabilitation of persons diagnosed as mentally disordered or mentally ill or day program for [mentally retarded or] developmentally disabled persons unless the facilities or programs are licensed by the department.

632.005. As used in chapter 631 and this chapter, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Comprehensive psychiatric services", any one, or any combination of two or more, of the following services to persons affected by mental disorders other than [mental retardation or] developmental disabilities: inpatient, outpatient, day program or other partial hospitalization, emergency, diagnostic, treatment, liaison, follow-up, consultation, education, rehabilitation, prevention, screening, transitional living, medical prevention and treatment for alcohol abuse, and medical prevention and treatment for drug abuse;

(2) "Council", the Missouri advisory council for comprehensive psychiatric services;

(3) "Court", the court which has jurisdiction over the respondent or patient;

(4) "Division", the division of comprehensive psychiatric services of the department of mental health;

(5) "Division director", director of the division of comprehensive psychiatric services of the department of mental health, or his designee;

(6) "Head of mental health facility", superintendent or other chief administrative officer of a mental health facility, or his designee;

(7) "Judicial day", any Monday, Tuesday, Wednesday, Thursday or Friday when the court is open for business, but excluding Saturdays, Sundays and legal holidays;

(8) "Licensed physician", a physician licensed pursuant to the provisions of chapter 334 or a person authorized to practice medicine in this state pursuant to the provisions of section 334.150;

(9) "Licensed professional counselor", a person licensed as a professional counselor under chapter 337 and with a minimum of one year training or experience in providing psychiatric care, treatment, or services in a psychiatric setting to individuals suffering from a mental disorder;

(10) "Likelihood of serious harm" means any one or more of the following but does not require actual physical injury to have occurred:

(a) A substantial risk that serious physical harm will be inflicted by a person upon his own person, as evidenced by recent threats, including verbal threats, or attempts to commit suicide or inflict physical harm on himself. Evidence of substantial risk may also include information about patterns of behavior that historically have resulted in serious harm previously being inflicted by a person upon himself;

(b) A substantial risk that serious physical harm to a person will result or is occurring because of an impairment in his capacity to make decisions with respect to his hospitalization and need for treatment as evidenced by his current mental disorder or mental illness which results in an inability to provide for his own basic necessities of food, clothing, shelter, safety or medical care or his inability to provide for his own mental health care which may result in a substantial risk of serious physical harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in serious harm to the person previously taking place because of a mental disorder or mental illness which resulted in his inability to provide for his basic necessities of food, clothing, shelter, safety or medical or mental health care; or

(c) A substantial risk that serious physical harm will be inflicted by a person upon another as evidenced by recent overt acts, behavior or threats, including verbal threats, which have caused such harm or which would place a reasonable person in reasonable fear of sustaining such harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in physical harm previously being inflicted by a person upon another person;

(11) "Mental health coordinator", a mental health professional who has knowledge of the laws relating to hospital admissions and civil commitment and who is authorized by the director of the department, or his designee, to serve a designated geographic area or mental health facility and who has the powers, duties and responsibilities provided in this chapter;

(12) "Mental health facility", any residential facility, public or private, or any public or private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering from a mental disorder or mental illness and which is recognized as such by the department or any outpatient treatment program certified by the department of mental health. No correctional institution or facility, jail, regional center or [mental retardation] **developmental disability** facility shall be a mental health facility within the meaning of this chapter;

(13) "Mental health professional", a psychiatrist, resident in psychiatry, psychologist, psychiatric nurse, licensed professional counselor, or psychiatric social worker;

(14) "Mental health program", any public or private residential facility, public or private hospital, public or private specialized service or public or private day program that can provide care, treatment, rehabilitation or services,

either through its own staff or through contracted providers, in an inpatient or outpatient setting to persons with a mental disorder or mental illness or with a diagnosis of alcohol abuse or drug abuse which is recognized as such by the department. No correctional institution or facility or jail may be a mental health program within the meaning of this chapter;

(15) "Ninety-six hours" shall be construed and computed to exclude Saturdays, Sundays and legal holidays which are observed either by the court or by the mental health facility where the respondent is detained;

(16) "Peace officer", a sheriff, deputy sheriff, county or municipal police officer or highway patrolman;

(17) "Psychiatric nurse", a registered professional nurse who is licensed under chapter 335 and who has had at least two years of experience as a registered professional nurse in providing psychiatric nursing treatment to individuals suffering from mental disorders;

(18) "Psychiatric social worker", a person with a master's or further advanced degree from an accredited school of social work, practicing pursuant to chapter 337, and with a minimum of one year training or experience in providing psychiatric care, treatment or services in a psychiatric setting to individuals suffering from a mental disorder;

(19) "Psychiatrist", a licensed physician who in addition has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

(20) "Psychologist", a person licensed to practice psychology under chapter 337 with a minimum of one year training or experience in providing treatment or services to mentally disordered or mentally ill individuals;

(21) "Resident in psychiatry", a licensed physician who is in a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

(22) "Respondent", an individual against whom involuntary civil detention proceedings are instituted pursuant to this chapter;

(23) "Treatment", any effort to accomplish a significant change in the mental or emotional conditions or the behavior of the patient consistent with generally recognized principles or standards in the mental health professions.

632.105. 1. The head of a private mental health facility may, and the head of a department mental health facility shall, except in the case of a medical emergency and subject to the availability of suitable programs and accommodations, accept for evaluation, on an outpatient basis if practicable, any person eighteen years of age or over who applies for his admission. The department may require that a community-based service where the person resides perform the evaluation pursuant to an affiliation agreement and contract with the department.

2. If a person is diagnosed as having a mental disorder, other than [mental retardation or] developmental disability without another accompanying mental disorder, and is determined to be in need of inpatient treatment, the person may be admitted by a private mental health facility and shall be admitted by a department mental health facility, if suitable accommodations are available, for care and treatment as an inpatient for such periods and under such conditions as authorized by law. The department may require that a community-based service where the patient resides admit the person for inpatient care and treatment pursuant to an affiliation agreement and contract with the department.

3. A person who is admitted under this section is a voluntary patient and shall have the right to consent to evaluation, care, treatment and rehabilitation and shall not be medicated without his prior voluntary and informed consent; except that medication may be given in emergency situations.

632.110. 1. The head of a private mental health facility may, and the head of a department mental health facility shall, except in the case of a medical emergency and subject to the availability of suitable programs and accommodations, accept for evaluation, on an outpatient basis if practicable, any minor for whom an application for voluntary admission is made by his parent or other legal custodian. The department may require that a community-based service where the minor resides perform the evaluation pursuant to an affiliation agreement or contract with the department.

2. If the minor is diagnosed as having a mental disorder, other than [mental retardation or] developmental disability without another accompanying mental disorder, and found suitable for inpatient treatment as a result of the evaluation, the minor may be admitted by a private mental health facility or shall be admitted by a department mental health facility, if suitable accommodations are available, for care, treatment and rehabilitation as an inpatient for such periods and under such conditions as authorized by law. The department may require that a community-based service where the patient resides admit the person for inpatient care, treatment and rehabilitation pursuant to an affiliation agreement and contract with the department.

3. The parent or legal custodian who applied for the admission of the minor shall have the right to authorize his evaluation, care, treatment and rehabilitation and the right to refuse permission to medicate the minor; except that medication may be given in emergency situations.

4. The parent or legal custodian may request a peace officer to take a minor into custody and transport him to the mental health facility for evaluation if the parent or legal custodian applies for such evaluation under subsection 1 of this section.

632.115. The head of a private mental health facility may, and the head of a public mental health facility shall, except in the case of medical emergency and subject to the availability of suitable programs and accommodations, admit any minor who has symptoms of mental disorder other than [mental retardation or] developmental disability, who is under the jurisdiction of a juvenile court and who is committed to a facility not operated by the state of Missouri under section 211.181 or to the custody of the director pursuant to sections 211.201 to 211.207 for assignment by the director to an appropriate facility.

632.120. 1. The head of a private mental health facility may, and the head of a department facility shall, except in the case of a medical emergency and subject to the availability of suitable programs and accommodations, accept for evaluation and treatment, on an outpatient basis if practicable, any person who has been declared incapacitated by a court of competent jurisdiction and for whom an application for voluntary admission is made by his guardian. The department may require that a community-based service where the person resides perform the evaluation pursuant to an affiliation agreement and contract with the department.

2. If the person is diagnosed as having a mental disorder, other than [mental retardation or] developmental disability without another accompanying mental disorder, and the person is found suitable for inpatient treatment as a result of the evaluation, the person may be admitted by a private mental health facility or shall be admitted by a public mental health facility, if suitable accommodations are available, for care, treatment and rehabilitation as an inpatient for up to thirty days after admission for evaluation and treatment.

3. If further inpatient services are recommended, the person may remain in the facility only if his guardian is authorized by the court to continue the inpatient hospitalization. The court may authorize the guardian to consent to evaluation, care, treatment, including medication, and rehabilitation on an inpatient basis.

632.370. 1. The department may transfer, or authorize the transfer of, an involuntary patient detained under this chapter, chapter 211, chapter 475, or chapter 552 from one mental health program to another if the department determines that it would be consistent with the medical needs of the patient to do so. If a minor is transferred from a ward for minors to an adult ward, the department shall conduct a due process hearing within six days of such transfer during which hearing the head of the program shall have the burden to show that the transfer is appropriate for the medical needs of the minor. Whenever a patient is transferred, written notice thereof shall be given after obtaining the consent of the patient, his parent if he is a minor or his legal guardian to his legal guardian, parents and spouse, or, if none be known, his nearest known relative or friend. In all such transfers, due consideration shall be given to the relationship of the patient to his family, legal guardian or friends, so as to maintain relationships and encourage visits beneficial to the patient. The head of the mental health program shall notify the court ordering detention or commitment, the patient's last known attorney of record and the mental health coordinator for the region, and if the person was committed pursuant to chapter 552, to the prosecuting attorney of the jurisdiction where the person was tried and acquitted, of any transfer from one mental health facility to another. The prosecutor of the jurisdiction where the person was tried and acquitted shall use their best efforts to notify the victims of dangerous felonies. Notification by the appropriate person or agency by certified mail to the most current address provided by the victim shall constitute compliance with the victim notification requirement of this section. In the case of a patient committed under chapter 211, the court, on its own motion, may hold a hearing on the transfer to determine whether such transfer is appropriate to the medical needs of the patient.

2. Upon receipt of a certificate of an agency of the United States that facilities are available for the care or treatment of any individual heretofore ordered involuntarily detained, treated and evaluated pursuant to this chapter in any facility for the care or treatment of the mentally ill, [mentally retarded or] developmentally disabled and that such individual is eligible for care or treatment in a hospital or institution of such agency, the department may cause his transfer to such agency of the United States for hospitalization. Upon effecting any such transfer, the court ordering hospitalization, the legal guardian, spouse and parents, or, if none be known, his nearest known relative or friend shall be notified thereof immediately by the department. No person shall be transferred to an agency of the United States if he is confined pursuant to a conviction for any felony or misdemeanor or if he has been acquitted of any felony or misdemeanor solely on the ground of mental illness, unless prior to transfer the court originally ordering confinement

of such person enters an order for the transfer after appropriate motion and hearing. Any person transferred to an agency of the United States shall be deemed to be hospitalized by such agency pursuant to the original order of hospitalization.

632.380. Persons who are [mentally retarded,] developmentally disabled, senile or impaired by alcoholism or drug abuse shall not be detained judicially under this chapter, unless they are also mentally ill and as a result present likelihood of serious harm to themselves or to others. Such persons may, however, be committed upon court order under this chapter and the provisions of chapter 475 relating to incapacitated persons, pursuant to chapter 211 relating to juveniles, or may be admitted as voluntary patients under section 632.105 or 632.120.

633.005. As used in this chapter, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Comprehensive evaluation", a study, including a sequence of observations and examinations, of an individual leading to conclusions and recommendations formulated jointly by an interdisciplinary team of persons with special training and experience in the diagnosis and habilitation of the [mentally retarded and] developmentally disabled;

(2) "Division", the division of [mental retardation and] developmental disabilities of the department of mental health;

(3) "Division director", the director of the division of [mental retardation and] developmental disabilities of the department of mental health, or his designee;

(4) "Group home", a residential facility serving nine or fewer residents, similar in appearance to a single-family dwelling and providing basic health supervision, habilitation training in skills of daily and independent living and community integration, and social support. Group homes do not include a family living arrangement or individualized supported living;

(5) "[Mental retardation] **Developmental disability** facility", a private or department facility, other than a regional center, which admits persons who are [mentally retarded or] developmentally disabled for residential habilitation and other services and which is qualified or licensed as such by the department pursuant to chapter 630. Such terms shall include, but shall not be limited to, habilitation centers and private or public residential facilities for persons who are developmentally disabled;

(6) "Regional center", an entity so designated by the department to provide, directly or indirectly, for comprehensive [mental retardation and] developmental disability services under this chapter in a particular region;

(7) "Respite care", temporary and short-term residential care, sustenance and supervision of a [mentally retarded or] developmentally disabled person who otherwise resides in a family home;

(8) "State advisory council", the Missouri advisory council on [mental retardation and] developmental disabilities as created in section 633.020.

633.010. 1. The division of [mental retardation and] developmental disabilities, created by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be a division of the department. The division shall have the responsibility of insuring that [mental retardation and] developmental disabilities prevention, evaluation, care, habilitation and rehabilitation services are accessible, wherever possible. The division shall have and exercise supervision of division residential facilities, day programs and other specialized services operated by the department, and oversight over facilities, programs and services funded or licensed by the department.

2. The powers, functions and duties of the division shall include the following:

(1) Provision of funds for the planning and implementation of accessible programs to serve persons affected by [mental retardation or] developmental disabilities;

(2) Review of [mental retardation and] developmental disabilities plans submitted to receive state and federal funds allocated by the department;

(3) Provision of technical assistance and training to community-based programs to assist in the planning and implementation of quality services;

(4) Assurance of program quality in compliance with such appropriate standards as may be established by the department;

(5) Sponsorship and encouragement of research into the causes, effects, prevention, habilitation and rehabilitation of [mental retardation and] developmental disabilities;

(6) Provision of public information relating to [mental retardation and] developmental disabilities and their habilitation;

(7) Cooperation with nonstate governmental agencies and the private sector in establishing, conducting, integrating and coordinating [mental retardation and] developmental disabilities programs and projects;

(8) Cooperation with other state agencies to encourage appropriate health facilities to serve, without discrimination, persons who are [mentally retarded or] developmentally disabled who require medical care and to provide them with adequate and appropriate services;

(9) Participation in developing and implementing a statewide plan to alleviate problems relating to [mental retardation and] developmental disabilities and to overcome the barriers to their solutions;

(10) Encouragement of coordination of division services with other divisions of the department and other state agencies;

(11) Encouragement of the utilization, support, assistance and dedication of volunteers to assist persons affected by [mental retardation and] developmental disabilities to be accepted and integrated into normal community activities;

(12) Evaluation, or the requirement of the evaluation, including the collection of appropriate necessary information, of [mental retardation or] developmental disabilities programs to determine their cost-and-benefit effectiveness;

(13) Participation in developing standards for residential facilities, day programs and specialized services operated, funded or licensed by the department for persons affected by [mental retardation or] developmental disabilities.

633.020. 1. The "Missouri Advisory Council on [Mental Retardation and] Developmental Disabilities", consisting of up to twenty-five members, the number to be determined under the council bylaws, is hereby created to advise the division and the division director.

2. The members of the Missouri planning council for developmental disabilities, created by executive order of the governor on October 26, 1979, for the remainder of their appointed terms, and up to five persons to be appointed by the director, for staggered terms of three years each, shall act as such advisory body. At the expiration of the term of each member, the director shall appoint an individual who shall hold office for a term of three years. At least one-half of the members shall be consumers. Other members shall have professional, research or personal interest in [mental retardation and] developmental disabilities. At least one member shall be a manager of or a member of the board of directors of a sheltered workshop as defined in section 178.900. No more than one-fourth of the members shall be vendors or members of boards of directors, employees or officers of vendors, or any of their spouses, if such vendors receive more than fifteen hundred dollars under contract with the department; except that members of boards of directors of not-for-profit corporations shall not be considered members of board of directors of vendors under this subsection.

3. Meetings shall be held at least every ninety days or at the call of the division director or the council chairman, who shall be elected by the council.

4. Each member shall be reimbursed for reasonable and necessary expenses, including travel expenses, pursuant to department travel regulations, actually incurred in the performance of his official duties.

5. The council may be divided into subcouncils in accordance with its bylaws.

6. The council shall collaborate with the department in developing and administering a state plan for [mental retardation and] developmental disabilities services.

7. No member of a state advisory council may participate in or seek to influence a decision or vote of the council if the member would be directly involved with the matter or if he would derive income from it. A violation of the prohibition contained herein shall be grounds for a person to be removed as a member of the council by the director.

8. The council shall be advisory and shall:

(1) Promote meetings and programs for the discussion of reducing the debilitating effects of [mental retardation and] developmental disabilities and disseminate information in cooperation with any other department, agency or entity on the prevention, evaluation, care, treatment and habilitation for persons affected by [mental retardation or] developmental disabilities;

(2) Study and review current prevention, evaluation, care, treatment and rehabilitation technologies and recommend appropriate preparation, training, retraining and distribution of manpower and resources in the provision of services to [mentally retarded or] developmentally disabled persons through private and public residential facilities, day programs and other specialized services;

(3) Recommend what specific methods, means and procedures should be adopted to improve and upgrade the department's [mental retardation and] developmental disabilities service delivery system for citizens of this state;

(4) Participate in developing and disseminating criteria and standards to qualify [mental retardation or] developmental disability residential facilities, day programs and other specialized services in this state for funding or licensing, or both, by the department.

633.029. All persons determined eligible for services provided by the division of [mental retardation and] developmental disabilities prior to January 1, 1991, shall be eligible for services on the basis of their earlier determination of eligibility without regard to their eligibility status under the definition of developmental disability contained in section 630.005.

633.030. 1. The department shall prepare a state plan to secure coordinated [mental retardation and] developmental disabilities habilitation services accessible to persons in need of them in defined geographic areas, which plan shall be reviewed and revised annually.

2. The state plan shall include, but not be limited to, the following:

(1) A needs-assessment of the state to determine underserved, unserved and inappropriately served populations and areas;

(2) Statements of short-term and long-term goals for meeting the needs of currently served, underserved, unserved or inappropriately served populations and areas of the state;

(3) An inventory of existing private and public residential facilities, day programs and other service providers offering [mental retardation or] developmental disability evaluation and habilitation services;

(4) Evaluations of the effects of habilitation programs;

(5) Descriptions of the following:

(a) Methods for assuring active consumer-oriented citizen participation throughout the system;

(b) Strategies and procedures for encouraging, coordinating and integrating community-based services, wherever practicable, to avoid duplication by private, not-for-profit and public state and community-based providers of services;

(c) Methods for monitoring the quality of evaluation and habilitation services funded by the state;

(d) Rules which set standards for construction, staffing, operations and programs, as appropriate, for any public or private entity to meet for receiving state licensing, certification or funding; and

(e) Plans for addressing the particular [mental retardation and] developmental disability service needs of each region, including special strategies for rural and urban unserved, underserved or inappropriately served populations in areas of the state.

3. In preparing the state plan, the department shall take into consideration its regional plans.

633.045. 1. Any regional advisory councils established under section 633.040 shall participate in the preparation of regional plans and annually review, advise on and recommend them before they are transmitted to the state advisory council and the division director. The plans shall include at least the following:

(1) An inventory of existing residential facilities, day programs and specialized services for the [mentally retarded and] developmentally disabled;

(2) An assessment of needs, including any special target populations, of unserved, underserved or inappropriately served persons;

(3) A statement of specific goals for the region.

2. Any staff of such regional advisory councils shall be provided only from funds appropriated specifically for that purpose. This subsection shall become effective July 1, 1981.

633.050. 1. In addition to such other advisory functions as may be agreed upon with the division, the regional advisory councils shall review and advise on programs and policies of the regional centers. The councils shall review, advise on, and recommend regional program budgets and shall report to the division director their findings as to their conformity with the regional plans before they are transmitted to the department to be considered for inclusion in the department budget request.

2. The regional councils may advise the department, the division and the regional centers on methods of operation and service delivery which will assure comprehensive services with the minimum amount of duplication, fragmentation and unnecessary expenditures. In making such proposals, the councils shall consider the most appropriate use of existing agencies and professional personnel providing residential facilities, day programs and other specialized services for the [mentally retarded and] developmentally disabled in their regions.

3. The duties of the regional advisory councils shall include:

(1) Determining the disbursement of the cash stipend as established in section 633.180 and the family support loan as established in section 633.185;

(2) Providing direction and assistance to the regional center in the development of a family support plan based upon the needs in the region;

(3) Approval of the regional family support plan;

- (4) Monitoring the implementation of the family support plan;
- (5) Providing an annual written report to the department of mental health regarding the activities of the family support council.

633.110. 1. Any person suspected to be [mentally retarded or] developmentally disabled shall be eligible for initial diagnostic and counseling services through the regional centers.

2. If it is determined by a regional center through a comprehensive evaluation that a person is [mentally retarded or] developmentally disabled so as to require the provision of services, and if such person, such person's parent, if the person is a minor, or legal guardian, requests that he be registered as a client of a regional center, the regional center shall, within the limits of available resources, secure a comprehensive program of any necessary services for such person. Such services may include, but need not be limited to, the following:

- (1) Diagnosis and evaluation;
- (2) Counseling;
- (3) Respite care;
- (4) Recreation;
- (5) Habilitation;
- (6) Training;
- (7) Vocational habilitation;
- (8) Residential care;
- (9) Homemaker services;
- (10) Developmental day care;
- (11) Sheltered workshops;
- (12) Referral to appropriate services;
- (13) Placement;
- (14) Transportation.

3. In securing the comprehensive program of services, the regional centers shall involve the client, his family or his legal guardian in decisions affecting his care, habilitation, placement or referral. Nothing in this chapter shall be construed as authorizing the care, treatment, habilitation, referral or placement of any [mentally retarded or] developmentally disabled person to any residential facility, day program or other specialized service without the written consent of the client, his parent, if he is a minor, or his legal guardian, unless such care, treatment, habilitation, referral, or placement is authorized pursuant to an order of the court under the provisions of chapter 475.

633.115. The regional center shall secure services for its clients in the least restrictive environment consistent with individualized habilitation plans. As a result of its comprehensive evaluation, the regional center shall utilize the following entities to secure services:

- (1) Agencies serving persons not diagnosed as [mentally retarded or] developmentally disabled in which the client would be eligible to receive available services or in which the services could be made available to the client through the purchase of assistive or supportive services;
- (2) Agencies serving [mentally retarded or] developmentally disabled persons in which the client would be eligible to receive available services or in which services could be made available to the client through the purchase of assistive or supportive services;
- (3) The regional center on a day-program basis;
- (4) The regional center for short-term residential services, not to exceed six months, unless expressly authorized for a longer period by the division director;
- (5) A residential facility licensed through the department placement program, but not operated by the department;
- (6) A [mental retardation] **developmental disability** facility operated by the department for clients who are developmentally disabled [or mentally retarded].

633.120. 1. A regional center may refer a client for admission to a [mental retardation] **developmental disability** facility only if determined by a comprehensive evaluation that:

- (1) The person has a developmental disability;
- (2) Protective services are required to guarantee the health, safety or mental well-being of the person;
- (3) Placement in a [mental retardation] **developmental disability** facility is in the best interests of the person;

and

(4) All other less restrictive services, including but not limited to family support and supported living, have been explored and found inadequate to prevent placement in a [mental retardation] **developmental disability** facility.

2. The regional center shall forward its comprehensive evaluation containing the determination under subsection 1 of this section and such other records as are necessary to enable the [mental retardation] **developmental disability** facility to determine whether to accept or reject the referral.

3. The head of a private [mental retardation] **developmental disability** facility may, and the head of a department [mental retardation] **developmental disability** facility shall, admit the person if, as a result of reviewing the evaluation, the head of the [mental retardation] **developmental disability** facility determines that the client is appropriate for admission as a resident and suitable accommodations are available. If the head of a department [mental retardation] **developmental disability** facility rejects the referral, the regional center may appeal the rejection to the division director. After consulting with the head of the referring regional center and the head of the department [mental retardation] **developmental disability** facility, the division director shall determine the appropriate disposition of the client.

4. The person to be admitted, if competent, his parent or legal custodian, if he is a minor, or his guardian, as authorized by a court, shall consent to the admission unless otherwise ordered by a court.

5. The head of a [mental retardation] **developmental disability** facility shall have an individualized habilitation plan for each resident within thirty days of the resident's admission. Such plan shall include a statement regarding the resident's anticipated length of stay in the facility and the feasibility of least restrictive alternatives.

6. If procedures are initiated under chapter 475 for the appointment of a guardian for a resident of a department [mental retardation] **developmental disability** facility, the referral procedure under this section shall not apply.

633.125. 1. A resident admitted to a [mental retardation] **developmental disability** facility pursuant to section 633.120 shall be discharged immediately when the person who applied for his admission requests the release orally, in writing or otherwise from the head of the [mental retardation] **developmental disability** facility; except, that if the head of the [mental retardation] **developmental disability** facility regards the resident as presenting a likelihood of serious harm to himself or others, the head of the facility may initiate involuntary detention procedures pursuant to chapter 632, if appropriate, or any individual, including the head of the facility or the mental health coordinator may initiate guardianship proceedings and, if appropriate, obtain an emergency commitment order pursuant to chapter 475.

2. A resident shall be discharged from a department [mental retardation] **developmental disability** facility if it is determined in a comprehensive evaluation or periodic review that the person is not [mentally retarded or] developmentally disabled, and if the resident, parent, if a minor, or guardian consents to the discharge. If consent is not obtained, the head of the facility shall initiate appeal proceedings under section 633.135, before a resident can be discharged.

3. A resident shall either be discharged from a department [mental retardation] **developmental disability** facility or shall be referred to a regional center for placement in a least restrictive environment pursuant to section 630.610, if it is determined in a comprehensive evaluation or periodic review that the following criteria exist:

(1) The resident's condition is not of such a nature that for the protection or adequate care of the resident or others the resident needs department residential habilitation or other services;

(2) The [mental retardation] **developmental disability** facility does not offer a program which best meets the resident's needs; or

(3) The [mental retardation] **developmental disability** facility does not provide the least restrictive environment feasible. A resident may not be discharged without his consent or the consent of his parent, if he is a minor, or guardian unless proceedings have been completed under section 633.135.

4. After a resident's discharge pursuant to subsection 3 of this section, the resident shall be referred to an appropriate regional center for assistance in obtaining any necessary services.

633.130. 1. At least once every one hundred eighty days, the head of each [mental retardation] **developmental disability** facility shall cause the condition and status of each resident to be reviewed and evaluated for the purpose of determining whether the resident needs further residential habilitation, placement in the least restrictive environment or discharge.

2. The head of the facility shall initiate proceedings to discharge any resident whose continued residential habilitation is no longer appropriate; except, that the head of the facility may refer the resident to the appropriate regional center for placement pursuant to section 630.610.

3. A copy of the evaluation and individualized habilitation plan shall be sent to any court having jurisdiction over the resident.

633.135. 1. If a resident, or his parent if he is a minor, or his legal guardian refuses to consent to the proposed placement or to discharge from the facility, the head of the [mental retardation] **developmental disability** facility may petition the director of the division to determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620 or whether the proposed discharge is appropriate under sections 633.120, 633.125 and 633.130.

2. The division director shall refer the petition to the chairman of the state advisory council who shall appoint and convene a review panel composed of three members. At least one member of the panel shall be a parent or guardian of a resident who resides in a department [mental retardation] **developmental disability** facility. The remaining members of the panel shall be persons who are from nongovernmental organizations or groups concerned with the prevention of [mental retardation] **developmental disability**, evaluation, care and habilitation of [mentally retarded] **developmentally disabled** persons and who are familiar with services and service needs of [mentally retarded] **developmentally disabled** persons in facilities operated by the department. No member of the panel shall be an officer or employee of the department.

3. After prompt notice and hearing, the panel shall determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620 or whether the proposed discharge is appropriate under sections 633.120, 633.125 and 633.130. The hearing shall be electronically recorded for purposes of obtaining a transcript. The council shall forward the tape recording, recommended findings of fact, conclusions of law and decision to the director who shall enter findings of fact, conclusions of law and the final decision. Notice of the director's decision shall be sent to the resident, or his parent if he is a minor, or his guardian, by registered mail, return receipt requested. The director shall expedite this review in all respects.

4. If the resident, or his parent if he is a minor, or his guardian disagrees with the decision of the director, he may appeal the decision, within thirty days after notice of the decision is sent, to the circuit court of the county where the resident, or his parent if he is a minor, or his guardian resides. The court shall review the record, proceedings and decision of the director not only under the provisions of chapter 536, but also as to whether or not the head of the facility sustained his burden of proof that the proposed placement is appropriate under sections 630.110, 630.115 and 630.120, or the proposed discharge is appropriate under sections 633.120, 633.125 and 633.130. The court shall expedite this review in all respects. Notwithstanding the provisions of section 536.140, a court may, for good cause shown, hear and consider additional competent and material evidence.

5. Any resident of a [mental retardation] **developmental disability** facility who is age eighteen or older and who does not have a legal guardian shall not be discharged unless probate division of the circuit court approval is obtained to confirm that the resident is not in need of the care, treatment or programs now being received in the [mental retardation] **developmental disability** facility.

6. The notice and procedure for the hearing by the panel shall be in accordance with chapter 536.

7. In all proceedings either before the panel or before the circuit court, the burden of proof shall be upon the head of the facility to demonstrate by preponderance of evidence that the proposed placement is appropriate under the criteria set forth in sections 630.610, 630.615, and 630.120, or that the proposed discharge is appropriate under the criteria set forth in sections 633.120, 633.125 and 633.130.

8. Pending a convening of the hearing panel and the final decision of the director or the court, if the director's decision is appealed, the department shall not place or discharge the resident from a facility except that the department may temporarily transfer such resident in the case of a medical emergency.

9. There shall be no disciplinary action against any state employee who in good faith testifies or otherwise provides information or evidence in regard to a proposed placement or discharge.

633.140. 1. If any resident leaves a [mental retardation] **developmental disability** facility without authorization, the sheriff of the county where the resident is found shall apprehend and return him to the center if requested to do so by the head of the facility.

2. The head of the facility may request the return of an absent resident pursuant to subsection 1 of this section only when one of the following circumstances exists:

(1) The resident is a minor whose admission was applied for by his parent or legal custodian, and such parent or guardian has not requested the resident's release;

(2) The resident is a minor under the jurisdiction of the juvenile court;

(3) The resident has been declared legally incapacitated and his guardian has not requested his release; or

(4) The resident's condition is of such a nature that, for the protection of the resident or others, the head of the facility determines that the resident's return to the facility is necessary. Such determination shall be noted in the resident's records.

633.145. 1. The department may transfer a resident from one department [mental retardation] **developmental disability** facility to another if the division director determines that such transfer is desirable to provide the resident improved habilitation or other services, to better insure his safety and welfare, or to locate him in closer proximity to his family and friends.

2. Transfers may only be made to a private [mental retardation] **developmental disability** facility pursuant to section 630.610.

3. Determinations by the division director pursuant to this section shall be written and noted in the resident's records. The division director shall notify the resident, his guardian or next of kin of such determination.

The department shall not transfer any resident unless it receives the consent of the resident, his guardian or his parent, if the resident is a minor.

633.150. The head of a [mental retardation] **developmental disability** facility may transfer a resident to a mental health facility only under the provisions of chapter 632. The director shall order that such resident be returned to the [mental retardation] **developmental disability** facility when the resident is no longer in need of psychiatric care and treatment.

633.155. 1. The division may provide or obtain respite care for a [mentally retarded] **developmentally disabled** or developmentally disabled person for respite care of up to twenty-one days which may be extended up to an additional twenty-one days for good cause shown. Any additional respite care beyond forty-two days within a one-year period shall be expressly approved by the director of the division.

2. Notwithstanding the provisions of section 633.120 and section 475.120, a regional center may admit a [mentally retarded] **developmentally disabled** or developmentally disabled person who has been declared legally incapacitated for respite care without a court order authorizing the guardian of such person to obtain such care of up to twenty-one days for good cause shown.

633.160. If a person presents himself, or is presented, to a regional center or department [mental retardation] **developmental disability** facility and is determined to be [mentally retarded or] developmentally disabled and, as a result, presents an imminent likelihood of serious harm to himself or others as defined in chapter 632, the regional center or [mental retardation] **developmental disability** facility may accept the person for detention for evaluation and treatment for a period not to exceed ninety-six hours under the same procedures contained in chapter 632. The head of the regional center or [mental retardation] **developmental disability** facility may initiate guardianship proceedings to have the person detained beyond the ninety-six hours under chapter 475, or may refer the person to a mental health facility, if the person is mentally ill, for further detention under the procedures in chapter 632.

633.180. 1. A family with an annual income of sixty thousand dollars or less which has a child with a developmental disability residing in the family home shall be eligible to apply for a cash stipend from the division of [mental retardation and] developmental disabilities in an amount to be determined by the regional advisory council. Such cash stipend amount shall not exceed the maximum monthly federal Supplemental Security Income payment for an individual with a developmental disability who resides alone. Such stipend shall be paid on a monthly basis and shall be considered a benefit and not income to the family. The stipend shall be used to purchase goods and services for the benefit of the family member with a developmental disability. Such goods and services may include, but are not limited to:

- (1) Respite care;
- (2) Personal and attendant care;
- (3) Architectural and vehicular modifications;
- (4) Health- and mental health-related costs not otherwise covered;
- (5) Equipment and supplies;
- (6) Specialized nutrition and clothing;
- (7) Homemaker services;
- (8) Transportation;
- (9) Integrated community activities;
- (10) Training and technical assistance; and
- (11) Individual, family and group counseling.

2. Application for such stipend shall be made to the appropriate regional center. The regional center shall determine the eligibility of the individual to receive services from the division and the division shall forward the

application to the regional advisory council to determine the amount of the stipend which may be approved by the council.

3. The family support program shall be funded by moneys appropriated by the general assembly; however, the family support program shall not supplant other programs funded through the division of [mental retardation and] developmental disabilities.

633.185. 1. The division of [mental retardation and] developmental disabilities, subject to appropriation by the general assembly, is authorized to implement and administer, as part of the family support program, a family support loan program, which shall provide a family with an annual income of sixty thousand dollars or less which has an individual with a developmental disability residing in the home, with low-interest, short-term loans to purchase goods and services for the family member with a developmental disability.

2. Interest rates on loans made pursuant to the provisions of this section shall be no more than one percent above the prime interest rate as determined by the federal reserve system on the date the loan is approved. Loans may be for a maximum period of sixty months and the outstanding loan amount to any family may be no more than ten thousand dollars.

3. Applications for loans shall be made to the appropriate regional center. The regional center shall determine the eligibility of the individual to receive services from the division and the division shall forward the application to the regional advisory council to determine the amount of the loan which may be approved by the council.

4. There is hereby created in the state treasury for use by the department of mental health a fund to be known as the "Family Support Loan Program Fund". Moneys deposited in the fund shall be appropriated to the director of the department of mental health to be used for loans pursuant to this section. The fund shall consist of moneys appropriated by the general assembly for starting the fund and money otherwise deposited according to law. Any unexpended balance in the fund at the end of any biennium, not to exceed twice the annual loans made pursuant to this act in the previous fiscal year, is exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the ordinary revenue fund.

633.190. 1. The division of [mental retardation and] developmental disabilities, in cooperation with the Missouri planning council for developmental disabilities, shall adopt policies and procedures and, when necessary, shall promulgate rules and regulations regarding:

- (1) Program guidelines and specifications;
- (2) Additional duties of the regional advisory councils;
- (3) Annual evaluation of services provided by each regional center, including an assessment of consumer satisfaction;
- (4) Coordination of the family support program and the use of its funds throughout the state and within each region, with other publicly funded programs, including Medicaid;
- (5) Methodology for allocating resources to families with the funds available;
- (6) Resolution of grievances filed by families pertaining to actions of the family support program;
- (7) Methodology for outreach and education.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

633.210. 1. There is hereby established in the department of mental health within the division of [mental retardation and] developmental disabilities, an "Office of Autism Services". The office of autism services, under the supervision of the director of the division of [mental retardation and] developmental disabilities, shall provide leadership in program development for children and adults with autism spectrum disorders, to include establishment of program standards and coordination of program capacity.

2. For purposes of this section, the term "autism spectrum disorder" shall be defined as in standard diagnostic criteria for pervasive developmental disorder, to include: autistic disorder; Asperger's syndrome; pervasive developmental disorder-not otherwise specified; childhood disintegrative disorder; and Rett's syndrome.

633.300. 1. All group homes and [mental retardation] **developmental disability** facilities as defined in section 633.005 shall be subject to all applicable federal and state laws, regulations, and monitoring, including but not limited to sections 630.705 to 630.805.

2. All mental health workers, as defined in subdivision (8) of section 210.900, shall be subject to the same training requirements established for state mental health workers with comparable positions in public group homes and mental health facilities. Such required training shall be paid for by the employer.

3. Group homes and [mental retardation] **developmental disability** facilities shall be subject to the same medical errors reporting requirements of other mental health facilities and group homes.

4. The department shall promulgate rules or amend existing rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

633.303. Any employee, including supervisory personnel, of a group home or [mental retardation] **developmental disability** facility who has been placed on the disqualification registry pursuant to section 630.170 shall be terminated. Such requirements shall be specified in contracts between the department and providers pursuant to this section.

633.309. The department of mental health shall not transfer any person to any group home or [mental retardation] **developmental disability** facility that has received a notice of noncompliance, until there is an approved plan of correction pursuant to sections 630.745 and 630.750.

660.405. 1. The provisions of sections 199.025 and 660.403 to 660.420 shall not apply to the following:

(1) Any adult day care program operated by a person in which care is offered for no more than two hours per day;

(2) Any adult day care program maintained or operated by the federal government except where care is provided through a management contract;

(3) Any person who cares solely for persons related to the provider or who has been designated as guardian of that person;

(4) Any adult day care program which cares for no more than four persons unrelated to the provider;

(5) Any adult day care program licensed by the department of mental health under chapter 630 which provides care, treatment and habilitation exclusively to adults who have a primary diagnosis of mental disorder, mental illness, [mental retardation or] developmental disability as defined;

(6) Any adult day care program administered or maintained by a religious not-for-profit organization serving a social or religious function if the adult day care program does not hold itself out as providing the prescription or usage of physical or medical therapeutic activities or as providing or administering medicines or drugs.

2. Nothing in this section shall prohibit any person listed in subsection 1 of this section from applying for a license or receiving a license if the adult day care program owned or operated by such person conforms to the provisions of sections 199.025 and 660.403 to 660.420 and all applicable rules promulgated pursuant thereto.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Montecillo, **House Amendment No. 5** was adopted.

On motion of Representative Frederick, **HCS HB 579, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 579, as amended**, was ordered perfected and printed.

HCS HB 664, relating to the St. Louis Firemen's Retirement System, was taken up by Representative Leara.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 664, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. This section shall apply only to the provisions of chapter 87, RSMo 1959.

3. **As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.**

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as well as any condition of cancer which may result from exposure to heat or radiation or to a known or suspected carcinogen as determined by the International Agency for Research on Cancer, which results in the total or partial disability or death to a uniformed member of a paid fire department who successfully passed a physical examination within five years prior to the time a claim is made for disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty unless the contrary be shown by competent evidence and it can be proven to a reasonable degree of medical certainty that the condition did not result nor was contributed to by the voluntary use of tobacco.

3. This section shall apply to paid members of all fire departments of all counties, cities, towns, fire districts, and other governmental units.

4. **As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

On motion of Representative Leara, **HCS HB 664, as amended**, was adopted.

On motion of Representative Leara, **HCS HB 664, as amended**, was ordered perfected and printed.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 100 - Economic Development

SS SB 202 - Workforce Development and Workplace Safety

SCS SB 300 - General Laws

SB 325 - Professional Registration and Licensing

COMMITTEE REPORT

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 504, HB 505 and HB 874**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 108**, entitled:

An act to repeal sections 130.031 and 130.036, RSMo, and to enact in lieu thereof two new sections relating to campaign finance, with an existing penalty provision.

With Senate Committee Amendment No. 1 and Senate Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 108, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"115.305. **With the exception of section 115.342**, this subchapter shall not apply to candidates for special district offices, township offices in township organization counties, or city, town and village offices; provided that, cities of the fourth class, except those in a county of the first class with a charter form of government and which adjoins a city not within a county, may elect, only by ordinance, to hold primary elections in accordance with the provisions of sections 115.305 to 115.405 or in accordance with the provisions of sections 78.470, 78.480 and 78.510, and the ordinance shall state which of these provisions of law are being adopted.

115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

2. Each potential candidate for election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form: "AFFIRMATION OF TAX PAYMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute.

..... Candidate's Signature Printed Name of Candidate."

3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint."; and

Further amend said bill, Page 7, Section 130.036, Line 63, by inserting immediately after said line the following:

"[115.346. Notwithstanding any other provisions of law to the contrary, no person shall be certified as a candidate for a municipal office, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid city taxes or municipal user fees on the last day to file a declaration of candidacy for the office.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 108, Page 5, Section 130.031, Lines 143-145, by striking all of said lines and inserting in lieu thereof, the following:

"**advertising, and other similar items from a political action committee.**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 182**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 307 & HB 812**, entitled:

An act to amend chapter 301, RSMo, by adding thereto four new sections relating to special license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 354**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 388**, entitled:

An act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 557**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 631**, entitled:

An act to amend chapter 143, RSMo, by adding thereto two new sections relating to designation of tax refunds to certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 749**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 795**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813**, entitled:

An act to repeal section 227.297, RSMo, and to enact in lieu thereof eight new sections relating to the designation of the highway infrastructure system.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENT

April 19, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Mike Cierpiot as chairman of the Transportation Funding and Public Institutions Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

LETTER OF RESIGNATION

April 19, 2011

The Honorable Steven Tilley
Office of the Speaker
201 W. Capitol Ave., Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

Pursuant to my recent election to the position of St. Louis County Assessor, please accept my resignation as State Representative of the 83rd District, effective at 11:59 p.m. on April 19, 2011.

It has been a pleasure to join you in serving our fellow Missourians. I wish you and all of my House colleagues the best in your continued public service.

Sincerely,

/s/ Jake Zimmerman
State Representative
District 83

ADJOURNMENT

On motion of Representative Silvey, the House adjourned until 10:00 a.m., Wednesday, April 20, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 21, 2011, 8:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Work session on omnibus bill.

BUDGET

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 3.
Public hearing will be held: SB 322, HB 774
Executive session will be held: SB 322, HB 774
Executive session may be held on any matter referred to the committee.
Review of Tax Credits - Public Hearing.

AMENDED

BUDGET

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Review of Tax Credits - Public Hearing.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 20, 2011, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 913
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: SCS SB 54, SCS SB 81, SB 147, HB 752
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 21, 2011, 8:30 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

HEALTH CARE POLICY

Wednesday, April 20, 2011, House Hearing Room 6 upon morning recess or 12:00 PM.
Public hearing will be held: SCS SB 177, SS SCS SB 65, HR 1826
Executive session will be held: SS#2 SCS SB 62
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Thursday, April 21, 2011, 9:15 AM South Gallery.
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 20, 2011, House Hearing Room 7, 5:00 PM or upon afternoon adjournment.
Public hearing will be held: HB 806, HB 973
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 20, 2011, 12:00 PM Room 315.
Lunch.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings.

License plates.

Director of MoDOT Kevin Keith

JUDICIARY

Wednesday, April 20, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: HB 587, SB 59, SCS SB 60, SS SCS SB 70, SB 116

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 117, HB 288, HB 497, HB 759, HB 907, HB 969, HB 1019

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 20, 2011, House Hearing Room 5,

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 668, HB 937, SCS SB 29, HB 831

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 21, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 20, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, April 20, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: HJR 15, HCS HJR 16, HCS HB 17, HCS HB 18, HCS HB 21, HCS HB 22, HJR 27, HCR 32, HCR 38, HCR 46, HCS HB 212, HCS HB 552, HCS HB 597, HCS HB 613, HB 686, HCS HB 688, HCS HB 716, HCS HB 732, HB 741, HCS HB 811, HCS HB 893, HB 924, HCS SB 96, HCS SB 97, SB 101, HCS SS SB 135, HCS SB 161, HCS SCS SB 163, HCS SB 173, HCS SB 207, HCS SCS SB 219, HCS SB 220, HCS SB 282, SS SB 306

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 21, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 891, HB 1023

Executive session will be held: HB 979, HB 885

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 871, HB 845

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 20, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HB 161 - Cox
- 10 HCS HBs 303 & 239 - Davis
- 11 HCS HB 366 - Silvey
- 12 HB 466 - Schoeller
- 13 HCS HB 523 - Molendorp
- 14 HCS HB 643 - May
- 15 HCS HB 773 - Gosen
- 16 HB 138 - Thomson
- 17 HB 491 - Diehl
- 18 HB 364 - Parkinson
- 19 HCS HBs 600, 337 & 413 - Schad
- 20 HCS HB 742 - Wyatt
- 21 HCS HB 787 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

HB 305, with E.C. pending - Gatschenberger

SENATE BILLS FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HBs 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore

BILLS CARRYING REQUEST MESSAGES

SS HCS HB 193, (request Senate recede/grant conference) - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 20, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

For thus saith the Lord God, in returning and rest shall ye be saved; in quietness and in confidence shall be your strength. (Isaiah 30:15)

O Almighty God, eternal source of wisdom, power, and love, Whose mercy is over all Your works and Whose will is ever directed to Your children's good - in quietness and in confidence we lift our hearts unto You. In the assurance of your presence we face the responsibilities of this day.

May the brightness and the glory of goodwill dwell in our hearts and may all ill will die. Fill us with kindness, compassion, and understanding - with all those moral qualities which make our life together a happy and enduring experience. May we lead our people away from the treacherous road of deceit, hypocrisy, and pretense and along the pathway of justice, freedom, and peace. Thus, may we follow You all the days of our lives. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eric Shultz, Brenden Hay and Anna Lillig.

The Journal of the fifty-seventh day was approved as printed.

SPECIAL RECOGNITION

Dr. Chris Daniels of Chouteau Elementary, North Kansas City School District, was introduced by Representative Berry and recognized as the Missouri 2011 National Distinguished Principal.

Families of Max Starkloff and Jim Tuscher were introduced by Representative Hubbard and presented resolutions.

The McCluer North High School Basketball Team was introduced by Representative Taylor and recognized for attaining the 2011 Class 5A State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2310 through House Resolution No. 2427

Representative Smith (150) assumed the Chair.

PERFECTION OF HOUSE BILLS

HB 466, relating to payroll deductions for contributions, was taken up by Representative Schoeller.

Representative Schoeller offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 466, Page 2, Section 130.028, Line 38, by inserting immediately after the word “**writing.**” the following:

“Nothing in this section shall be interpreted as denying a labor organization the right to receive and use dues monies for any legal purpose.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative White offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 466, Page 1, Line 4, by deleting all of said line and insert in lieu thereof the following:

“annually. Nothing in this section shall be interpreted as denying a labor organization the right to receive”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer

Leach	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Stream	Thomson
Wells	Weter	White	Wyatt	Mr Speaker

NOES: 061

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Grisamore	Harris	Higdon	Hinson	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Leara	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wieland	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Funderburk	Hughes	Kander
Lasater	May	Nasheed	Quinn	

VACANCIES: 003

Representative Hummel offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

House Substitute Amendment No. 1 for House Amendment No. 1, as amended, was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig

Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Brown 50	Diehl	Funderburk	Haefner
Hughes	Kander	May	Nasheed	Quinn
Schad				

VACANCIES: 003

On motion of Representative Schoeller, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Schoeller, **HB 466, as amended**, was ordered perfected and printed.

HCS HB 366, relating to technology business facilities, was taken up by Representative Silvey.

Speaker Tilley resumed the Chair.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 366, Page 7, Section 144.810, Line 158, by inserting after all of said section and line the following:

“620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;

(2) "Average wage", the new payroll divided by the number of new jobs;

(3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic development;

(7) "Employee", a person employed by a qualified company;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) **"High-risk metropolitan statistical area", a metropolitan statistical area as identified by the United States Bureau of Census:**

(a) Which is comprised of two or more states including the state of Missouri which include at least one county with an average household income equal to two hundred percent of the national average household income as determined by the most recent data available from the Bureau of Labor Statistics within the United States Department of Labor as of the date the qualified business submits its notice of intent; and

(b) From which at least five businesses have relocated outside of this state in the ten calendar years immediately preceding the date of the notice of intent and resulting in the loss of at least three thousand of such companies' employees from this state;

(11) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

[(11)] (12) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

[(12)] (13) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

[(13)] (14) "New investment"[,];

(a) For a qualified company not located within a high-risk metropolitan statistical area, the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

(b) For a qualified company located within a high-risk metropolitan statistical area, funds spent at the project facility after the approval of the notice of intent for real or personal property and which may include the present value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after approval of the notice of intent;

[(14)] (15) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)] (16) "New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)] (17) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

[(17)] (18) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

[(18)] (19) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)] (20) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)] (21) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)] (22) "Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)] (23) "Project period", the time period that the benefits are provided to a qualified company;

[(23)] (24) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:

- a. Certifies to the department that it plans to reorganize and not to liquidate; and
- b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;
- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production; or
 (k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

[(24)] **(25)** "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

- (a) Open-looped biomass;
- (b) Close-looped biomass;
- (c) Solar;
- (d) Wind;
- (e) Geothermal; and
- (f) Hydropower;

[(25)] **(26)** "Related company" means:

(a) A corporation, partnership, trust, or association controlled by the qualified company;
 (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
 (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

[(26)] **(27)** "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)] **(28)** "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] **(29)** "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] **(30)** "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] **(31)** "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] **(32)** "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] **(33)** "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] **(34)** "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government **or in a high-risk metropolitan statistical area**. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision [(19)] **(20)** of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] **(34)** of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director [of the department of economic development];

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs

advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, [2013] 2015;

(5) Job retention projects within a high-risk metropolitan statistical area: a qualified company may retain ninety-five percent of the company's withholding tax from full-time jobs located at the high-risk metropolitan statistical area facility for a period of ten years for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For the thirty-day period preceding the qualified company's notice of intent, the qualified company must have maintained at least one hundred fifty full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees shall meet or exceed the county or state average wage, whichever is less;

(b) The qualified company is considered to have a significant statewide effect on the economy and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887;

(c) The qualified company in the project facility will cause to be invested a minimum of ten million dollars in new investment prior to the end of three years or will cause to be invested a minimum of five million dollars in new investment prior to the end of three years and maintain an annual payroll of at least six million dollars during each of the years for which the qualified company retains withholding tax under this program;

(d) Within six months of approval of the qualified company's notice of intent, the qualified company shall enter into an agreement with the department that memorializes the content of the notice of intent, the requirements of this section, and the consequences for failing to meet such requirements provided in paragraph (e) of this subdivision;

(e) No later than six months following the expiration of the three-year investment period described in paragraph (c) of subdivision (5) of subsection 3 of this section, the department shall determine whether the qualified company made the investment as required under this paragraph and shall notify the qualified company in writing of such determination. If the qualified company failed to make the requisite investment, the municipality in which the qualified company is located and the director shall jointly determine whether such investment shortfall occurred for reasons outside the qualified company's control, including without limitation, as a result of economic conditions. If it is determined that the investment shortfall did not occur as a result of reasons beyond the control of the qualified company, the director shall provide a written notice of suspension to the qualified company and the municipality providing that the qualified company shall repay all withholding taxes retained under this program and that within six months of the date of suspension notice the director and municipality shall meet with the qualified company to determine a revised schedule of investment and the terms of suspension of withholding tax retention rights; and

(6) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or

penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. Notwithstanding any other provision of law to the contrary, a qualified company in a high risk metropolitan statistical area that is awarded benefits under this section shall not receive any tax credit or exemption or be entitled to retain withholding taxes under section 620.1910.

14. In addition to any other benefits available under subdivision (5) of subsection 3 of this section, a qualified company within a high-risk metropolitan statistical area that satisfies provisions in subdivision (5) of subsection 3 of this section shall be entitled to tax credits issued each year for a period of ten years from the date of the approval of the department in an amount equal to three percent of the retained payroll from the retained jobs; provided that in no event shall the total amount of the benefits provided to a qualified company in a high-risk metropolitan statistical area under this section exceed six percent of the retained payroll in any calendar year.

15. Upon approval of a notice of intent to request withholding tax benefits under subdivision (5) of subsection 3 of this section or to request tax credits under subdivision (5) of subsection 3 of this section, the department and the qualified company in a high-risk metropolitan statistical area shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

(2) The date or time period during which withholding taxes will be retained or the tax credits shall be issued, which may be immediately or over a period not to exceed ten years from the date of the approval;

(c) Clawback provisions provided in paragraph (e) of subdivision (5) of subsection 3 of this section.

16. In lieu of all other benefits under subdivision (5) of subsection 3 of this section or subsection 14 of this section, the department may award a qualified company within a high-risk metropolitan statistical area meeting the requirements of subdivision (5) of subsection 3 of this section tax credits in an amount not to exceed ninety percent of the amount the qualified company within a high-risk metropolitan statistical area may otherwise be eligible to retain for a period of five years under subdivision (5) of subsection 3 of this section.

17. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, the department may approve a qualified company in a high-risk metropolitan statistical area for an exemption of up to one hundred percent of the state sales and use taxes defined, levied, or calculated under sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 for a period not to exceed three years from the date of approval of sales and leases of tangible personal property purchased for use in the project facility and of sales and leases of tangible personal property and materials for the purpose of constructing, repairing, or remodeling the project facility. To qualify for the exemption provided in this subsection, the qualified company shall:

(1) Retain at least one hundred fifty retained jobs at the project facility in which the average wage meets or exceeds the county of state average wage, whichever is less;

(2) Commit to making at least ten million dollars in new capital investment at a project facility within a period of three years from the date of approval, or cause to be invested at least five million dollars in new capital investment within a period of three years from the date of approval and maintain an annual payroll of at least six million dollars during each of the years for which the qualified company receives a benefit under this section.

18. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect

without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 366, Page 3, Section 67.2050, Line 69, by inserting after all of said line the following:

“9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 366, Page 1, Section A, Line 2, by inserting after all of said line the following:

“67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

- (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;
 - (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:
 - (a) The district's real property, except for public rights-of-way for utilities;
 - (b) The district's personal property, except in a city not within a county; or
 - (c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;
 - (12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;
 - (13) To loan money as provided in sections 67.1401 to 67.1571;
 - (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;
 - (15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;
 - (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:
 - (a) Pedestrian or shopping malls and plazas;
 - (b) Parks, lawns, trees, and any other landscape;
 - (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;
 - (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;
 - (e) Parking lots, garages, or other facilities;
 - (f) Lakes, dams, and waterways;
 - (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;
 - (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
 - (i) Paintings, murals, display cases, sculptures, and fountains;
 - (j) Music, news, and child-care facilities; [and]
 - (k) **Any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project or a solar thermal energy project, whether such real or personal property is publicly or privately owned; and**
 - (l) Any other useful, necessary, or desired improvement;
 - (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
 - (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
 - (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
 - (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
 - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
 - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property, **including, but not limited to, real or personal property installed as part of a special energy improvement project;**
 - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
 - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
 - (25) To provide or support training programs for employees of businesses within the district;
 - (26) To provide refuse collection and disposal services within the district;
 - (27) To contract for or conduct economic, planning, marketing or other studies;
 - (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
 - (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.
2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish [and], remove, renovate, reconstruct, **construct**, or rehabilitate any building [or], structure, **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

Representative Schupp offered **House Amendment No. 4**.

Representative Burlison raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS HB 366, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

PERFECTION OF HOUSE BILLS

HCS HB 366, as amended, relating to technology business facilities, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 366, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 366, as amended**, was ordered perfected and printed.

HCS HBs 600, 337 & 413, relating to public safety, was taken up by Representative Schad.

Representative Schad offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 3, Section 87.006, Line 26, by inserting after all of said section and line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points

(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. 2 points

(b) For the second conviction. 4 points

(c) For the third conviction. 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . 12 points

(7) Obtaining a license by misrepresentation. 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law. 8 points

In violation of a county or municipal ordinance or federal law or regulation. 8 points

(11) Any felony involving the use of a motor vehicle. 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points

(14) Endangerment of a highway worker in violation of section 304.585. 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

(17) Endangerment of emergency personnel or emergency responder in violation of section 304.894. 4 points

(18) Aggravated endangerment of emergency personnel or emergency responder in violation of section 304.894. 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.”; and

Further amend said bill, Page 4, Section 302.309, Line 14, by inserting brackets “[]” around the phrase “A business, occupation, or”, and inserting before the word “employment” the phrase “**Driving to and from the operator’s places of**”; and

Further amend said bill, Page 5, Section 302.309, Line 70, by deleting the phrase “[thirty] **forty-five** days of a suspension or”, and inserting in lieu thereof the phrase “thirty days of a suspension or **forty-five days of a**”; and

Further amend said bill, Page 6, Section 302.309, Line 97, by inserting after the phrase “subdivision (9)” the phrase “**of subsection 1**”; and

Further amend said page and section, Line 108, by inserting after the phrase “subdivision (10)” the phrase “**of subsection 1**”; and

Further amend said bill, Page 9, Section 304.892, Line 2, by inserting after the phrase “**section 302.302**,” the phrase “**other than those listed in subsection 2 of this section**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No.1 to House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 1, Line 14, by deleting all of said line from the amendment and inserting in lieu thereof the following:

“(4) Careless and imprudent driving in violation of subsection [4] 1 of section [304.016] **304.012**..... 4”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Schad, **House Amendment No. 1, as amended**, was adopted.

Representative Schad offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 43.265, Line 12, by deleting all of said line and inserting in lieu thereof the following:

“flown on their behalf by the highway patrol; shall be credited to the fund. The state treasurer is”; and

Further amend said bill, Page 9, Section 304.890, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“**response or an area where an active emergency or incident removal is temporarily**”; and

Further amend said bill, Page 11, Section 304.894, Line 29, by inserting after the phrase “**sections 577.010 and 577.012;**”, the word “**or**”; and

Further amend said bill, Page 16, Section 306.118, Lines 38 and 40, by placing brackets “[]” around the comma “,” on said lines and inserting in lieu thereof a semicolon “;”; and

Further amend said bill, Page 20, Section 565.081, Line 14, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill, Page 22, Section 565.082, Line 37, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill, Page 23, Section 565.083, Line 22, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

Representative Marshall offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 18, Section 306.130, Line 20, by inserting after all of said section and line the following:

- “565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if he or she:
- (1) Recklessly causes the death of another person; or
 - (2) While in an intoxicated condition operates a motor vehicle or vessel in this state and, when so operating, acts with criminal negligence to cause the death of any person; or
 - (3) While in an intoxicated condition operates a motor vehicle or vessel in this state, and, when so operating, acts with criminal negligence to:
 - (a) Cause the death of any person not a passenger in the vehicle or vessel operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined by section 301.010, or the highway's right-of-way; or vessel leaving the water; or
 - (b) Cause the death of two or more persons; or
 - (c) Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood; or
 - (4) Operates a motor vehicle in violation of subsection 2 of section 304.022, and when so operating, acts with criminal negligence to cause the death of any person authorized to operate an emergency vehicle, as defined in section 304.022, while such person is in the performance of official duties; **or**
 - (5) Operates a vessel in violation of subsections 1 and 2 of section 306.132, and when so operating acts with criminal negligence to cause the death of any person authorized to operate an emergency watercraft, as defined in section 306.132, while such person is in the performance of official duties.
2. Involuntary manslaughter in the first degree under subdivision (1) or (2) of subsection 1 of this section is a class C felony. Involuntary manslaughter in the first degree under subdivision (3) of subsection 1 of this section is a class B felony; **except that, any person who has a prior conviction or plea of guilty to driving while intoxicated who violates subdivision (3) of this section is guilty of a class A felony.** A second or subsequent violation of subdivision (3) of subsection 1 of this section is a class A felony. For any violation of subdivision (3) of subsection 1 of this section, the minimum prison term which the defendant must serve shall be eighty-five percent of his or her sentence. Any violation of subdivisions (4) and (5) of subsection 1 of this section is a class B felony.
3. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.
4. Involuntary manslaughter in the second degree is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 3** was adopted.

Representative Cross offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 1, In the Title, Line 9, by deleting the word "twenty-six" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word "twenty-six" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 11, by deleting the word and number "and 577.023" and inserting in lieu thereof the following:

"577.023, and 577.665"; and

Further amend said bill, Page 30, Section 577.023, Line 135, by inserting after all of said line the following:

"577.665. 1. As used in this section, the following terms shall mean:

(1) "Tanning device", any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;

(2) "Tanning facility", any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.

2. Prior to any person less than eighteen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person's use of a tanning device at the tanning facility.

3. The department of health and senior services shall, by rule, develop a standard consent form to be used by all tanning facilities operating in this state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Any person who violates the provisions of this section is guilty of a class C misdemeanor. Any tanning facility that violates the provisions of this section shall be subject to a fine of one thousand dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense.

5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cross, **House Amendment No. 4** was adopted.

Representative Pace offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 20, Section 565.081, Lines 1 to 20, by deleting all of said lines and inserting in lieu thereof the following:

"565.081. 1. A person commits the crime of assault of a transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the first degree is a class A felony.**"; and

Further amend said bill, Pages 21 to 23, Section 565.082, Lines 1 to 46, by deleting all of said lines and inserting in lieu thereof the following:

"565.082. 1. A person commits the crime of assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the second degree if such person:**

(1) **Knowingly causes or attempts to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means of a deadly weapon or dangerous instrument;**

(2) **Knowingly causes or attempts to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means other than a deadly weapon or dangerous instrument;**

(3) **Recklessly causes serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer; or**

(4) **While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer;**

(5) **Acts with criminal negligence to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means of a deadly weapon or dangerous instrument;**

(6) **Purposely or recklessly places a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in apprehension of immediate serious physical injury; or**

(7) **Acts with criminal negligence to create a substantial risk of death or serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer.**

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the second degree** is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence."; and

Further amend said bill, Page 23, Section 565.083, Lines 1 to 28, by deleting all of said lines and inserting in lieu thereof the following:

"565.083. 1. A person commits the crime of assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the third degree** if:

(1) Such person recklessly causes physical injury to a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer;**

(2) Such person purposely places a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in apprehension of immediate physical injury;**

(3) Such person knowingly causes or attempts to cause physical contact with a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer without the consent of the transit operator, the employee of a mass transit system, the law enforcement officer, the corrections officer, emergency personnel, the highway worker in a construction zone or work zone, utility worker, or the probation and parole officer.**

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the third degree** is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pace moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Cox	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24

Kirkton	Kratky	Lampe	Leach	Marshall
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Scharnhorst	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Franklin	Franz	Hughes	Johnson	Kander
May	McNeil	Riddle	Mr Speaker	

VACANCIES: 003

Representative Hinson offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 87.005, Line 7, by inserting at the end of said line the following:

“In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 6** was adopted.

Speaker Tilley resumed the Chair.

HCS HBs 600, 337 & 413, as amended, was laid over.

SPECIAL RECOGNITION

Members of the Grand National Assembly of Turkey were introduced by Speaker Tilley and presented resolutions.

PERFECTION OF HOUSE BILLS

HCS HBs 600, 337 & 413, as amended, relating to public safety, was again taken up by Representative Schad.

Representative Smith (150) resumed the Chair.

Representative Leara offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 43.265, Line 19, by inserting after all of said line the following:

“70.695. The right of a person to an allowance, to the return of accumulated contributions, the allowance itself, any allowance option, and any other right accrued or accruing under the provisions of sections 70.600 to 70.755, and all moneys belonging to the system shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or to any other process of law whatsoever, and shall be unassignable, except as is specifically provided in sections 70.600 to 70.755; except that:

(1) Any political subdivision shall have the right of setoff for any claim arising from embezzlement by or fraud of a member, retirant, or beneficiary; [and]

(2) Such rights shall not be exempt from attachment or execution in a proceeding instituted for the support and maintenance of children. In all such actions described in this subdivision, the system shall be entitled to collect a fee of up to twenty dollars chargeable against the person for each delinquent attachment, execution, sequestration or garnishment payment; **and**

(3) **A retirant may authorize the board to have deducted from his or her allowance the payments required of him or her to provide for health insurance or long-term care insurance premiums in accordance with Section 402 of the Internal Revenue Code of 1986, as amended.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 7** was adopted.

On motion of Representative Schad, **HCS HBs 600, 337 & 413, as amended**, was adopted.

On motion of Representative Schad, **HCS HBs 600, 337 & 413, as amended**, was ordered perfected and printed.

HCS HB 161, relating to transient guest taxes, was taken up by Representative Cox.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 161, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.1000. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

- (1) Any county [or of];
- (2) Any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly[, or of];
- (3) Any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand[.].

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

[2.] 3. As used in this section and section 67.1002, the term "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter, except that in any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, "transient guests"[, as used in this section and section 67.1002,] means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.

[3.] 4. Provisions of this section to the contrary notwithstanding, the governing body of any home rule city with more than thirty-nine thousand six hundred but fewer than thirty-nine thousand seven hundred inhabitants and partially located in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of such city submits to the voters of the city at an election permitted under section 115.123 a proposal to authorize the governing body of the city to impose a tax under the provisions of this [section] **subsection** and section 67.1002. The tax authorized by this [section] **subsection** and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

5. Notwithstanding any other provision of this section to the contrary, the governing body of any city or county with more than three hundred fifty hotel and motel rooms within the boundaries of such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under this subsection and section 67.1002. The tax authorized by this subsection and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau. Such convention and visitors bureau shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

6. Notwithstanding any other provision of law to the contrary, the taxes authorized in this section and section 67.1002 shall not be imposed by the following cities or counties:

(1) Any city or any county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such city or county or a portion thereof under this section and section 67.1002 or any other law of this state; or

(2) Any city not already imposing a tax under this section and section 67.1002 and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section and section 67.1002 or any other law of this state, except that cities of the third classification with more than two thousand five hundred hotel and motel rooms and located in a county of the first classification where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in subsection 5 of this section of not more than one-half percent per occupied room per night.

7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.

67.1002. 1. The question shall be submitted in substantially the following form:

Shall the (City or County) levy a tax of percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city or county, where the proceeds of which shall be expended for promotion of tourism **or funding a convention and visitors bureau?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city or county shall have no power to impose the tax authorized by this section unless and until the governing body of the city or county again submits the question to the qualified voters of the city or county and such question is approved by a majority of the qualified voters voting on the question.

2. On and after the effective date of any tax authorized under the provisions of this section and section 67.1000, the city or county which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city or county which levied the tax may adopt rules and regulations for the internal collection of such tax by the city or county officers usually responsible for collection and administration of city or county taxes; or

(2) The city or county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section and section 67.1000. In the event any city or county enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section and section 67.1000, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section and section 67.1000. The tax authorized under the provisions of this section and section 67.1000 shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection.

3. If a tax is imposed by a city or county under this section and section 67.1000, the city or county may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter.

67.1003. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) Any city or county[, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state,] having more than three hundred fifty hotel and motel rooms inside such city or county;

(2) A county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants;

(3) A third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand;

(4) A county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand;

(5) Any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand;

(6) Any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants;

(7) Any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants;

(8) Any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed [in any city or county already imposing such tax pursuant to any other law of this state, except that] **by the following cities or counties:**

(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county or a portion thereof under this section or any other law of this state; or

(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section or any other law of this state.

4. Cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

[4.] 5. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

[5.] 6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011."; and

Further amend said bill, Page 3, Section 67.1008, Line 13, by inserting after all of said line the following:

"[67.1005. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or

county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. The tax authorized in this section shall not be imposed in any city or county where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof is imposed pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms and located in a county of the first class where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in this section of not more than one-half percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent?

☐ YES

☐ NO

4. As used in this section, "transient guests" shall mean a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Schupp offered **House Amendment No. 2**.

Representative Parkinson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cox, **HCS HB 161, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 161, as amended**, was ordered perfected and printed.

HCS HB 523, relating to certain insurance products, was taken up by Representative Molendorp.

Representative Molendorp offered **House Amendment No. 1**.

Representative Gosen raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Molendorp, **HCS HB 523** was adopted.

On motion of Representative Molendorp, **HCS HB 523** was ordered perfected and printed.

SUPPLEMENTAL CALENDAR APRIL 20, 2011

HOUSE BILLS FOR THIRD READING

- 1 HB 661 - Wells
- 2 HB 708 - Curtman
- 3 HB 1008 - Long
- 4 HCS HB 828, E.C. - Fisher
- 5 HCS HB 562 - Grisamore
- 6 HCS HB 664 - Leara

THIRD READING OF HOUSE BILLS

HB 661, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **HB 661** was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller

1410 *Journal of the House*

Shively	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 022

Atkins	Carlson	Colona	Ellinger	Hummel
Jones 63	Kirkton	McCann Beatty	McGeoghegan	Montecillo
Newman	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Sifton	Smith 71	Talboy
Walton Gray	Webb			

PRESENT: 002

Anders	Oxford
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ABSENT WITH LEAVE: 016

Carter	Dieckhaus	Franklin	Grisamore	Guernsey
Holsman	Hughes	Jones 117	Kander	May
McNeil	Pollock	Redmon	Spreng	Wright
Wyatt				

VACANCIES: 003

Representative Smith (150) declared the bill passed.

Speaker Tilley resumed the Chair.

HB 1008, relating to highway infrastructure, was taken up by Representative Long.

On motion of Representative Long, **HB 1008** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary

Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Carter	Conway 27	Dieckhaus	Holsman	Kander
Lasater	May	McNeil	Meadows	Pollock
Redmon	Webber			

VACANCIES: 003

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

HB 708, relating to choice of law, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 708** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Reiboldt

1412 *Journal of the House*

Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Diehl	Kander	May	McNeil
Nolte	Redmon			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 193** and grants the House a conference thereon.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HCS HB 193: Representatives Diehl, Cox, Loehner, Hubbard and Nasheed

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 828, relating to prevailing wages, was taken up by Representative Fisher.

Speaker Tilley resumed the Chair.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 111

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cross	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hoskins	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCann Beatty	McGeoghegan	McManus
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nolte	Oxford	Pace
Peters-Baker	Phillips	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 026

Atkins	Carlson	Colona	Conway 27	Cox
Frederick	Hodges	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	McCaherty	McDonald	McNary
Nichols	Parkinson	Pierson	Schupp	Smith 71
Spreng	Swearingen	Talboy	Taylor	White
Wieland				

ABSENT WITH LEAVE: 023

Bahr	Brown 116	Cookson	Crawford	Curtman
Diehl	Dugger	Entlicher	Guernsey	Hinson
Holsman	Hough	Kander	Klippenstein	Korman

1414 *Journal of the House*

Loehner	May	McGhee	McNeil	Pollock
Redmon	Schieffer	Webber		

VACANCIES: 003

On motion of Representative Fisher, **HCS HB 828** was read the third time and passed by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Cross	Davis	Day	Denison
Dieckhaus	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wyatt	Mr Speaker

NOES: 058

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Funderburk	Gatschenberger	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Korman	Kratky	Lampe
Lasater	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	Meadows	Molendorp	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Crawford	Curtman	Diehl	Dugger
Entlicher	Hinson	Kander	Loehner	May
McGhee	McNeil	Pollock	Redmon	Schieffer
Stream	Webber			

VACANCIES: 003

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 082

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Cross
Davis	Day	Denison	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	McNary	Nance
Nolte	Parkinson	Phillips	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt	Mr Speaker			

NOES: 056

Anders	Atkins	Berry	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
Molendorp	Montecillo	Neth	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	Wieland
Zerr				

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 021

Aull	Cierpiot	Crawford	Curtman	Dieckhaus
Diehl	Entlicher	Funderburk	Gatschenberger	Hinson
Kander	Loehner	May	McGhee	McNeil
Nasheed	Pollock	Redmon	Riddle	Schieffer
Stream				

VACANCIES: 003

RECESS

On motion of Representative Jones (89), the House recessed until 9:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 9 and **HCR 19** were placed on the Informal Calendar.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 366 - Fiscal Review (Fiscal Note)

HCS HB 473 - Fiscal Review (Fiscal Note)

HCS HB 579 - Fiscal Review (Fiscal Note)

HCS HBs 600, 337 & 413 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 322**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 200**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SB 226**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS#2 SCS SB 62**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 669**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 552**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 597**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 613**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 96**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SB 96**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 97**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SB 97**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 207**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 219**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 220**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 11, Section 7.410, Lines 1-4, by deleting said section from the bill; and

Further amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing

for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HCS HB 193**: Senators Rupp, Crowell, Lager, Callahan and Wright-Jones.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 21, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 21, 2011, 8:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Work session on omnibus bill.

BUDGET

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Review of Tax Credits - Public Hearing.

CHILDREN AND FAMILIES

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 771
Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Thursday, April 21, 2011, 6:45 PM House Lounge.
SS HCS HB 193

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 21, 2011, South Gallery upon morning adjournment.
Executive session will be held: SB 250
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 21, 2011, 8:30 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

INSURANCE POLICY

Thursday, April 21, 2011, 9:15 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Executive session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.
2nd Quarter Meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.
Highway namings.
License plates.
Director of MoDOT Kevin Keith.

LOCAL GOVERNMENT

Thursday, April 21, 2011, House Hearing Room 6 upon morning adjournment.
Executive session may be held on any matter referred to the committee.
Hearing Room change to 6.
CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 21, 2011, 8:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
CANCELLED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, April 21, 2011, House Hearing Room 7, 11:30 AM or upon morning adjournment.
Executive session will be held: HCS HB 403, HCS HB 504, 505 & 874, HB 658, HCS HB 889,
HCS SS#2 SCS SB 8, SS SB 55, HCS SS SCS SB 58, HCS SCS SB 366
Executive session may be held on any matter referred to the committee.
CANCELLED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 819, HB 1009
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 21, 2011, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 891, HB 1023
Executive session will be held: HB 979, HB 885
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.
Public hearing will be held: HB 349, SS SB 202
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-NINTH DAY, THURSDAY, APRIL 21, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL CALENDAR

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore
- 3 HCS HB 664 - Leara
- 4 HCS HB 473, (Fiscal Review 4-20-11) - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

SENATE BILLS FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

BILLS IN CONFERENCE

SS HCS HB 193 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-NINTH DAY, THURSDAY, APRIL 21, 2011

The House met pursuant to adjournment.

Representative Schad in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

You are the light of the world. (Matthew 5:14)

Eternal God, spirit of light and life, in this day, in this world of sometime suffering and sorrow we would purify our hearts as we face the unique responsibilities and demands committed to our care and to our attention this day. Let our littleness be swallowed up in Your greatness, our pettiness in Your pursuing presence, and our trite criticisms in Your triumphant spirit.

Before the altar of prayer we bow, confessing our faults, asking Your forgiveness, and praying that You will give us strength and wisdom that in these days we fail neither our citizens nor You. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2428 through House Resolution No. 2537

RECESS

Representative Jones (89) moved that the House stand in recess until the Conference Committee Report on **SS HCS HB 193** has been distributed or until 11:00 p.m., whichever comes first, and then stand adjourned until 10:00 a.m., Friday, April 22, 2011.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 118 - Health Care Policy

SS SB 360 - Rural Community Development

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 473** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 999**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 250**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 707**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was returned **SB 97**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 59**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 60**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 70**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 116**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 48**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 48

WHEREAS, the United States and the world find themselves dependent upon China for a group of minerals and metals known as "Rare Earth Elements" that are critical to many commercial, environmental, and defense applications; and

WHEREAS, rare earth elements represent the only known bridge to the next level of improved performance in the material properties for many metallurgical alloys, electrical conductivity, radio active shielding, and instrument sensitivity; and

WHEREAS, thorium is a naturally occurring companion element to the rare earth elements which can be extracted as a byproduct of rare earth mining at no additional expense and without creating additional mining waste; and

WHEREAS, thorium can be used as fuel in a nuclear power plant because it is a slightly radioactive metal and is 550 times more abundant than Uranium 235 needed for nuclear power; and

WHEREAS, thorium is generally considered harmless except through extreme long-term exposure or unless it is inhaled as a very fine dust; and

WHEREAS, thorium emits alpha rays which have no penetrating strength and cannot pass through human skin or thin plastic film; and

WHEREAS, thorium emits less radiation than sun light, radon from a gas stove top, potassium in a banana, X-rays, frequent air travel, and TSA full body scans; and

WHEREAS, the United States has two permitted world class rare earth mines - the Pea Ridge Mine in Washington County, Missouri, and the Mountain Pass Mine in California; and

WHEREAS, Missouri's Pea Ridge Mine has all 17 of the recoverable rare earth elements and is the only permitted heavy rare earth mine outside of China. The Mountain Pass Mine only has 8 of the 17 recoverable rare earth elements and cannot produce rare earths; and

WHEREAS, the United States has no refining facilities to process the rare earths from the Pea Ridge Mine or manage the thorium byproduct; and

WHEREAS, a thorium-fueled nuclear reactor generates hundreds of times the power as a uranium or coal plant, but produces essentially no waste. A thorium plant would produce less than 1% of the waste that a uranium plant produces and produces no carbon or greenhouse gases, unlike coal plants; and

WHEREAS, while the waste of a uranium power plant is toxic for more than 10,000 years, the little waste that is produced by a thorium power plant is benign in less than 200 years; and

WHEREAS, a thorium power plant can be used to burn our current stockpile of nuclear waste. In addition, thorium power plants cannot "melt down", thorium cannot practically be used to make nuclear weapons, thorium does not require any enrichment for energy use, and there is enough thorium in the United States alone to power the country at its current energy level for more than 10,000 years; and

WHEREAS, a thorium power plant can tap right in at the source of a current coal or uranium power plant without the need for laying a new grid; and

WHEREAS, through the development of a centralized rare earth-thorium facility, all thorium waste products can be managed and controlled in an environmentally safe manner; and

WHEREAS, China's monopoly on production of rare earth elements is posed to capture emerging technologies and manufacturing facilities from around the world, in exchange for supply contracts; and

WHEREAS, absent any new production, Asia will soon consume 100% of the world's production of rare earth elements; and

WHEREAS, China's National Industrial Policy of Rare Earth Dominance cannot be challenged by private investment. The United States must develop a National Domestic Rare Earth Refinery to survive; and

WHEREAS, unless the United States Congress makes changes, our rare earths will be sent to China for processing and they will not come back for use in the United States; and

WHEREAS, with its Pea Ridge Mine, Missouri can become the exclusive producer of heavy rare earths in the United States and attract new high tech companies from around the world:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby:

(1) Strongly support the development of thorium energy and the Pea Ridge Mine in Washington County, Missouri, in its efforts to extract thorium as a byproduct of rare earth element mining; and

(2) Strongly urge the United States Congress to support the use of thorium as a safe, efficient fuel source by taking the necessary steps to allow the Pea Ridge Mine in Missouri to extract thorium as a byproduct of rare earth elements mining and for the development of the refineries necessary to support thorium power plants; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Congress and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 63**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 979** and **HB 885**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 11**, entitled:

Relating to the recognition of every third week in June a Diabetic Peripheral Neuropathy Week.

SENATE CONCURRENT RESOLUTION NO. 11

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate and the House of Representatives encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 10**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to members of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 48**, entitled:

An act to amend chapter 393, RSMo, by adding thereto one new section relating to deposits required by public utilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 270**, entitled:

An act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 320**, entitled:

An act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.020, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.505, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 589.683, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-seven new sections relating to domestic violence, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 340**, entitled:

An act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof thirteen new sections relating to the board of embalmers and funeral directors.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Allen, Anders, Asbury, Atkins, Aull, Bahr, Barnes, Bernskoetter, Berry, Black, Brandom, Brattin, Brown (50), Brown (85), Brown (116), Burlison, Carlson, Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Franz, Frederick, Fuhr, Funderburk, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Holsman, Hough, Houghton, Hubbard, Hughes, Hummel, Johnson, Jones (63), Jones (117), Keeney, Kelley (126), Kelly (24), Kirkton, Klippenstein, Koenig, Korman, Kratky, Lair, Lampe, Lant, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCaherty, McCann Beatty, McDonald, McGeoghegan, McGhee, McManus, McNary, Meadows, Molendorp, Montecillo, Nance, Nasheed, Newman, Nolte, Oxford, Pace, Parkinson, Peters-Baker, Phillips, Pierson, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Sater, Scharnhorst, Schatz, Schieber, Schieffer, Schneider, Schoeller, Schupp, Shively, Shumake, Sifton, Silvey, Smith (71), Smith (150), Solon, Spreng, Still, Stream, Swearingen, Swinger, Talboy, Taylor, Thomson, Torpey, Wallingford, Walton Gray, Webb, Webber, Wells, Weter, White, Wieland, Wright and Zerr.

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, April 22, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 6.

Executive session will be held: SCS SB 356

Executive session may be held on any matter referred to the committee.

We will also have a presentation by Farm Credit Services.

CHILDREN AND FAMILIES

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 771

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 3.

Executive session will be held: HCS HBs 600, 337 & 413, HCS HB 579, HCS HB 366

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

GENERAL LAWS

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 300

Executive session will be held: SCS SB 300

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 27, 2011, House Hearing Room 6 upon morning recess.

Public hearing will be held: SS SB 118, HB 821

Executive session will be held: SS SCS SB 65, SCS SB 177, HR 1826

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, April 27, 2011, 9:45 AM Bingham Gallery.

Executive session may be held on any matter referred to the committee.

I. Election of chair and vice chair

II. Other business coming before the committee

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2nd Quarter Meeting

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings

License plates

Director of MoDOT Kevin Keith

RULES - RULES PURSUANT TO RULE 25(32)(F)

Friday, April 22, 2011, House Hearing Room 7 upon morning adjournment.

Executive session will be held: HCS HB 403, HB 658, HCS HBs 504, 505 & 874,

HCS HB 889, HCS SS#2 SCS SB 8, SS SB 55, HCS SS SCS SB 58, HCS SCS SB 366

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, April 27, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 968

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 349, SS SB 202

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTIETH DAY, FRIDAY, APRIL 22, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka
- 4 HCS HJR 16 - Dugger
- 5 HJR 27 - Brattin

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 17 - Silvey
- 2 HCS HB 18 - Silvey
- 3 HCS HB 21 - Silvey
- 4 HCS HB 22 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells
- 17 HCS HB 212 - Thomson
- 18 HCS HB 552 - Molendorp
- 19 HCS HB 597 - Pollock
- 20 HCS HB 613 - Holsman
- 21 HB 686 - Richardson
- 22 HCS HB 688 - Pollock
- 23 HCS HB 716 - Wyatt
- 24 HCS HB 732 - Brandom

1436 *Journal of the House*

- 25 HB 741 - Bernskoetter
- 26 HCS HB 811 - Talboy
- 27 HCS HB 893 - Richardson
- 28 HB 924 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore
- 3 HCS HB 664 - Leara
- 4 HCS HB 473 - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

SCR 11

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 10

SENATE BILLS FOR SECOND READING

- 1 SB 48
- 2 SCS SB 270
- 3 SS#2 SCS SB 320
- 4 SCS SB 340

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 32, (4-13-11, Pages 1267-1268) - Bernskoetter
- 2 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 3 HCR 46, (4-14-11, Pages 1293-1294) - Nolte

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 68, E.C. - Diehl
- 2 HCS SB 161 - Guernsey

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

BILLS IN CONFERENCE

- SS HCS HB 193 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTIETH DAY, FRIDAY, APRIL 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father, in Heaven, as we humbly bow our heads we reach out to You today first of all to thank You for our opportunity to serve You and Your people here in the State of Missouri. We thank You also for Your love, Your grace and the mercy You show us each and every day.

As we begin our day, we would ask You, Father, to give us guidance and insight into what You desire for us and Your people. We admit to our weaknesses and our desperate need for You and the strength You provide. We are weak and we are nothing without You. We seek Your wisdom today and every day as we ponder the tasks before us and the problems that arise here in this building as we make our feeble attempt to be what You want us to be. Help us to put aside self and always focus on others.

Please, Father, mold our will to be Your will in every thing that we say and do. Finally, Father, we are reminded this morning of Micah 6:8 and ask that You remind us daily of the scripture that says, "He has shown thee, O man, what is good and what does the LORD require of thee? But to do justly and to love mercy and to walk humbly with thy God."

We pray today in the name of Your son Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Morgan Giddings Crumbliss, Rose Marie Lant and Stephen Lant.

The Journal of the fifty-eighth day was approved as printed.

The Journal of the fifty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2538 through House Resolution No. 2561

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 11 was read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 10 was read the second time.

SECOND READING OF SENATE BILLS

SB 48, SCS SB 270, SS#2 SCS SB 320 and SCS SB 340 were read the second time.

THIRD READING OF SENATE BILL

HCS SCS SB 68, relating to powers of the general assembly, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 68, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 21.400, 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof thirteen new"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"Section A. Sections 21.400, 128.345, 128.346, and 128.348, RSMo, are repealed and thirteen new"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "128.346," the number "128.348,"; and

Further amend said bill, Page 2, Section 128.346, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"128.346. The districts established by the provisions of sections 128.400 to 128.440 for the election of representatives to the Congress of the United States shall be effective beginning with election to the 108th Congress **and through the election of the 112th Congress. The districts established by sections 128.451 to 128.458 for the election of representatives to the Congress of the United States shall be effective beginning with the election to the 113th Congress.**

128.348. The state of Missouri is hereby divided into nine congressional districts. **Effective with the election for the 113th Congress, the state of Missouri shall consist of eight congressional districts.** The legal voters of each district shall elect one member of Congress of the United States."; and

Further amend said bill, Pages 2 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

**"St. Louis City MO County
St. Louis MO County (part)
VTD: AP001
VTD: AP002
VTD: AP003
VTD: AP004**

VTD: AP005
VTD: AP006
VTD: AP007
VTD: AP008
VTD: AP009
VTD: AP010
VTD: AP011
VTD: AP012
VTD: AP013
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VTD: AP015
VTD: AP016
VTD: AP017
VTD: AP018
VTD: AP019
VTD: AP020
VTD: AP021
VTD: AP022
VTD: AP023
VTD: AP024
VTD: AP025
VTD: AP026
VTD: AP027
VTD: AP028
VTD: AP029
VTD: AP030
VTD: AP031
VTD: AP032
VTD: AP033
VTD: AP034
VTD: AP035
VTD: AP036
VTD: AP037
VTD: AP038
VTD: AP039
VTD: AP040
VTD: AP041
VTD: AP042
VTD: AP043
VTD: AP044
VTD: AP045
VTD: AP046
VTD: AP047
VTD: AP048
VTD: AP049
VTD: AP050
VTD: AP051
VTD: AP052
VTD: AP053
VTD: AP054
VTD: AP055
VTD: AP056
VTD: AP200
VTD: AP203
VTD: AP206
VTD: AP207

VTD: AP208
VTD: AP210
VTD: AP211
VTD: AP213
VTD: AP214
VTD: AP215
VTD: AP216
VTD: AP217
VTD: AP218
VTD: AP221
VTD: AP225
VTD: AP227
VTD: AP228
VTD: AP230
VTD: AP232
VTD: AP233
VTD: AP237
VTD: CC012 (part)
Block: 291892155001004
Block: 291892155001011
Block: 291892155001012
Block: 291892155001036
Block: 291892155004008
Block: 291892155004011
Block: 291892155004014
Block: 291892155004015
VTD: CC013
VTD: CC015
VTD: CC018 (part)
Block: 291892150041013
Block: 291892150042002
Block: 291892150042003
Block: 291892150042006
Block: 291892150042007
Block: 291892150042025
VTD: CC019
VTD: CC020
VTD: CC021
VTD: CC022
VTD: CC025
VTD: CC026
VTD: CC027
VTD: CC028
VTD: CC029
VTD: CC034
VTD: CC038
VTD: CC039
VTD: CC040
VTD: CC042
VTD: CC043
VTD: CC046
VTD: CC048
VTD: CC053 (part)
Block: 291892150041000
Block: 291892150041001
Block: 291892150041002

Block: 291892150041003
Block: 291892150041004
Block: 291892150041005
Block: 291892150041006
Block: 291892150041007
Block: 291892150041008
Block: 291892150041009
Block: 291892150041010
Block: 291892150041011
Block: 291892150041012
Block: 291892150042005
VTD: CC054
VTD: CC057
VTD: CC058 (part)
Block: 291892156001056
VTD: CC060
VTD: CC061 (part)
Block: 291892155004010
VTD: CC062 (part)
Block: 291892155001013
Block: 291892155004009
VTD: CC063
VTD: CC064
VTD: CC065
VTD: CC066
VTD: CC067
VTD: CC068
VTD: CC069
VTD: CC201
VTD: CC202
VTD: CC203 (part)
Block: 291892156001019
Block: 291892156001020
VTD: CC205
VTD: CC207
VTD: CC221
VTD: CC224
VTD: CC225
VTD: CC227
VTD: CLA001
VTD: CLA003 (part)
Block: 291892164001005
Block: 291892164001006
VTD: CLA005
VTD: CLA011 (part)
Block: 291892158002018
Block: 291892158006012
Block: 291892158006015
Block: 291892158006016
Block: 291892165001005
VTD: CLA015 (part)
Block: 291892155004026
VTD: CLA021
VTD: CLA022
VTD: CLA050 (part)
Block: 291892189004019

Block: 291892189004023

VTD: CLA051

VTD: CLA052

VTD: CLA054

VTD: CLA056

VTD: FER001

VTD: FER002

VTD: FER003

VTD: FER004

VTD: FER005

VTD: FER006

VTD: FER007

VTD: FER008

VTD: FER009

VTD: FER010

VTD: FER011

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VTD: HAD001
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 VTD: HAD034
 VTD: HAD035
 VTD: HAD036
 VTD: HAD037
 VTD: HAD038
 VTD: JEF013
 VTD: JEF014
 VTD: JEF017 (part)
 Block: 291892196001006
 Block: 291892196001008
 Block: 291892196001009
 Block: 291892196001010
 Block: 291892196001011
 Block: 291892196001012
 Block: 291892196001013
 VTD: JEF018 (part)
 Block: 291892191003014
 Block: 291892191003015
 Block: 291892191003016
 Block: 291892191004010
 Block: 291892191004011
 Block: 291892191004012
 Block: 291892191004013
 Block: 291892192002007
 Block: 291892192002008
 Block: 291892192002009
 Block: 291892192002011
 Block: 291892192002012
 Block: 291892192002015

Block: 291892192002016
Block: 291892192002017
Block: 291892192002018
Block: 291892192002019
Block: 291892192002020
Block: 291892192002023
VTD: JEF019
VTD: JEF020
VTD: JEF023 (part)
Block: 291892193003008
VTD: JEF024
VTD: JEF028
VTD: JEF030 (part)
Block: 291892195001000
Block: 291892195001002
Block: 291892195001010
VTD: JEF047
VTD: JEF048 (part)
Block: 291892193003000
Block: 291892193003001
Block: 291892193003002
Block: 291892193003003
Block: 291892193003004
Block: 291892193003005
Block: 291892193003006
Block: 291892193003007
Block: 291892193003009
Block: 291892193003010
VTD: JEF200 (part)
Block: 291892196001000
VTD: LC001
VTD: LC002
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VTD: LC007
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VTD: LC038
VTD: LC039
VTD: LC040
VTD: LC200
VTD: LC202
VTD: LC203
VTD: MHT016
VTD: MHT018 (part)
Block: 291892132022000
Block: 291892132022001
Block: 291892132022005
VTD: MID001 (part)
Block: 291892150011000
Block: 291892150011001
Block: 291892150011002
Block: 291892150011058
Block: 291892150011059
Block: 291892150011060
Block: 291892150011061
Block: 291892150011062
Block: 291892150011083
Block: 291892150011084
Block: 291892150011086
VTD: MID002
VTD: MID003
VTD: MID004
VTD: MID005
VTD: MID006
VTD: MID007
VTD: MID008
VTD: MID009
VTD: MID010
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VTD: MID202
VTD: MID207 (part)
Block: 291892150011053
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Block: 291892150011064
Block: 291892150011065
Block: 291892150011066
Block: 291892150011071
Block: 291892150042008
VTD: MID208
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VTD: NRW201
VTD: NW001
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VTD: NW003
VTD: NW004
VTD: NW005
VTD: NW008 (part)
Block: 291892113013005
Block: 291892113013006
Block: 291892113341024
Block: 291892113341025
Block: 291892113341026
Block: 291892113341027
Block: 291892113341030
Block: 291892113341031
Block: 291892113343009
Block: 291892113343011
Block: 291892113343012
Block: 291892113343013
Block: 291892113343014
Block: 291892113343015
Block: 291892113343016
Block: 291892113343017
VTD: NW010
VTD: NW011
VTD: NW012
VTD: NW013 (part)
Block: 291892151431053
VTD: NW014
VTD: NW016
VTD: NW017
VTD: NW019 (part)
Block: 291892132023006
VTD: NW020
VTD: NW025 (part)
Block: 291892113321023
Block: 291892113321024
Block: 291892114013000
Block: 291892114013001
Block: 291892114013007
Block: 291892114013008
VTD: NW026
VTD: NW028
VTD: NW030 (part)
Block: 291892114013011
VTD: NW031
VTD: NW032 (part)
Block: 291892131014025
Block: 291892131014026
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Block: 291892131021104
Block: 291892131021105
Block: 291892131021109
Block: 291892131021114
Block: 291892132031005
Block: 291892151431000
VTD: NW034
VTD: NW037
VTD: NW042 (part)
Block: 291892131014014
Block: 291892131014015
Block: 291892131014016
Block: 291892131014017
Block: 291892131014018
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Block: 291892131014020
Block: 291892131014023
Block: 291892131014024
Block: 291892131021106
Block: 291892131021107
Block: 291892131021108
VTD: NW043
VTD: NW045
VTD: NW047
VTD: NW048 (part)
Block: 291892114013010
VTD: NW049
VTD: NW050
VTD: NW051
VTD: NW200
VTD: NW202
VTD: NW203
VTD: NW204
VTD: NW205
VTD: NW206 (part)
Block: 291892132031019
VTD: NW207
VTD: NW219
VTD: NW220
VTD: NW222
VTD: NW223
VTD: NW224
VTD: NW225
VTD: NW226
VTD: NW227
VTD: NW229
VTD: SF001
VTD: SF002
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VTD: SF025
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VTD: SF030
VTD: SF031
VTD: SF032
VTD: SF033
VTD: SF034
VTD: SF035
VTD: SF036
VTD: SF037
VTD: SF038
VTD: SF039
VTD: SF040
VTD: SF200
VTD: SF204
VTD: SF206
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VTD: SPL017
VTD: SPL018
VTD: SPL019
VTD: SPL020

VTD: SPL021
VTD: SPL022
VTD: SPL023
VTD: SPL024
VTD: SPL025
VTD: SPL026
VTD: SPL027
VTD: SPL028
VTD: SPL029
VTD: SPL030
VTD: SPL201
VTD: SPL202
VTD: SPL207
VTD: SPL208
VTD: UNV001
VTD: UNV002
VTD: UNV003
VTD: UNV004
VTD: UNV005
VTD: UNV006
VTD: UNV007
VTD: UNV008
VTD: UNV009
VTD: UNV010
VTD: UNV011
VTD: UNV012
VTD: UNV013
VTD: UNV014
VTD: UNV015
VTD: UNV016
VTD: UNV017
VTD: UNV018
VTD: UNV019
VTD: UNV020
VTD: UNV021
VTD: UNV022
VTD: UNV023
VTD: UNV024
VTD: UNV025
VTD: UNV026
VTD: UNV027
VTD: UNV028
VTD: UNV029
VTD: UNV030
VTD: UNV031 (part)
Block: 291892158002000
Block: 291892158002009
Block: 291892158002017
Block: 291892158005031
Block: 291892158005032
Block: 291892158005033
Block: 291892158005034
Block: 291892158005035
Block: 291892158005037
Block: 291892158005038
Block: 291892158005039

Block: 291892158005040
Block: 291892158006008
Block: 291892158006009
Block: 291892158006010
Block: 291892158006011
Block: 291892158006013
Block: 291892158006014
Block: 291892158006017
VTD: UNV032
VTD: UNV033
VTD: UNV034
VTD: UNV035
VTD: UNV036
VTD: UNV037
VTD: UNV038
VTD: UNV039
VTD: UNV040
VTD: UNV041
VTD: UNV042
VTD: UNV043
VTD: UNV044
VTD: UNV045
VTD: UNV046
VTD: UNV047
VTD: UNV048
VTD: UNV049
VTD: UNV200
VTD: UNV201
VTD: UNV205
VTD: UNV206
VTD: UNV208"; and

Further amend said bill, Pages 22 to 65, Section 128.452, Lines 2 to 1842, by deleting all of said lines and inserting in lieu thereof the following:

"Jefferson MO County (part)
VTD: Arnold No. 1
VTD: Arnold No. 2 (part)
Block: 290997001101038
Block: 290997001101039
Block: 290997001101040
Block: 290997001101041
Block: 290997001101043
Block: 290997001101044
Block: 290997001101045
Block: 290997001101046
Block: 290997001101047
Block: 290997001101048
Block: 290997001101049
Block: 290997001101053
Block: 290997001103015
Block: 290997001103016
Block: 290997001103018
Block: 290997001103019
Block: 290997001103020
Block: 290997001103021

Block: 290997001103024
Block: 290997001103025
Block: 290997001103026
Block: 290997001103027
Block: 290997001103030
Block: 290997001103031
Block: 290997001132000
Block: 290997001132001
Block: 290997001132004
Block: 290997001132005
Block: 290997001132006
Block: 290997001132029
Block: 290997001141000
Block: 290997001141001
Block: 290997001141002
Block: 290997001141003
Block: 290997001141006
Block: 290997001141007
Block: 290997001141008
Block: 290997001141009
Block: 290997001141010
Block: 290997001141011
Block: 290997001141012
Block: 290997001141013
Block: 290997001141018
Block: 290997001141092
Block: 290997001151000
Block: 290997001151001
Block: 290997001151002
Block: 290997001151003
Block: 290997001151004
Block: 290997001151006
Block: 290997001151007
Block: 290997001151008
Block: 290997001151009
Block: 290997001151010
Block: 290997001151011
Block: 290997001151012
Block: 290997001151013
Block: 290997001151014
Block: 290997001151015
Block: 290997001151016
Block: 290997001151017
Block: 290997001151018
Block: 290997001152000
Block: 290997001152001
Block: 290997001152002
Block: 290997001152003
Block: 290997001152008
Block: 290997001152009
Block: 290997001152010
Block: 290997001152030
Block: 290997001152031
Block: 290997001153000
Block: 290997001153001
Block: 290997001153005

Block: 290997001153013
Block: 290997001153028
Block: 290997001153029
Block: 290997001153031
Block: 290997001172000
Block: 290997001172003
Block: 290997001172004
Block: 290997001172011
Block: 290997001172012
Block: 290997001172013
Block: 290997001172014
Block: 290997001172015
Block: 290997001172016
Block: 290997001172017
Block: 290997001172018
Block: 290997001172019
Block: 290997001172020
Block: 290997001172021
Block: 290997001172022
Block: 290997001172023
Block: 290997001172026
Block: 290997001172027
Block: 290997001172028
Block: 290997001172029
Block: 290997001172030
Block: 290997001172031
Block: 290997001172032
Block: 290997001172033
Block: 290997001172034
Block: 290997001172035
Block: 290997001172036
Block: 290997001172051
Block: 290997001172052
Block: 290997001172053
Block: 290997001173009
Block: 290997001183000
Block: 290997001183001
Block: 290997001183002
Block: 290997001183003
Block: 290997001183005
Block: 290997001183006
Block: 290997001183007
Block: 290997001183008
Block: 290997001183009
Block: 290997001183010
Block: 290997001183011
Block: 290997001183012
Block: 290997001184002
Block: 290997001184009
Block: 290997001184010
Block: 290997001184011
VTD: Arnold No. 3
VTD: Arnold No. 4
VTD: High Ridge 3-2
VTD: High Ridge No. 1
VTD: Maxville No. 1

VTD: Maxville No. 2 (part)

Block: 290997001132002

Block: 290997001132003

Block: 290997001132007

Block: 290997001132008

Block: 290997001132009

Block: 290997001132014

Block: 290997001132015

Block: 290997001132016

Block: 290997001132017

Block: 290997001132018

Block: 290997001132026

Block: 290997001132027

Block: 290997001132028

Block: 290997001132030

Block: 290997001172001

VTD: Meramec Heights

VTD: Murphy No. 1

VTD: Murphy No. 2

VTD: Murphy No. 3

VTD: Parkdale

VTD: Rock Creek No. 1 (part)

Block: 290997002091000

Block: 290997002091001

Block: 290997002091002

Block: 290997002091003

Block: 290997002091004

Block: 290997002091005

Block: 290997002091006

Block: 290997002091007

Block: 290997002091008

Block: 290997002091009

Block: 290997002091010

Block: 290997002091011

Block: 290997002091012

Block: 290997002091013

Block: 290997002091014

Block: 290997002091015

Block: 290997002091020

Block: 290997002091021

Block: 290997002091022

Block: 290997002091023

Block: 290997002091024

Block: 290997002091025

Block: 290997002091026

Block: 290997002091030

Block: 290997002091031

Block: 290997002091032

Block: 290997002091033

Block: 290997002091034

Block: 290997002091035

Block: 290997002091036

Block: 290997002091037

Block: 290997002091038

Block: 290997002091039

Block: 290997002111044

Block: 290997002111045

Block: 290997002111046

VTD: Rock Creek No. 2 (part)

Block: 290997002063008

Block: 290997002091016

Block: 290997002091017

Block: 290997002091018

Block: 290997002091019

Block: 290997002091027

Block: 290997002091028

Block: 290997002091029

Block: 290997002091040

VTD: Romaine Creek

VTD: Saline

VTD: Springdale

St. Charles MO County (part)

VTD: 083-Woodcliff

VTD: 084-Harvester

VTD: 085-Sycamore

VTD: 086-Arlington

VTD: 091-Katy Trail

VTD: 101-Graybridge

VTD: 111-Woodstream

VTD: 124-Rabbit Run

VTD: 129-Parkwood

VTD: 130-Lakes

VTD: 139-Discovery

VTD: 143-All Saints

VTD: 144-Fox

VTD: 146-St. Jude

VTD: 147-Cottleville

VTD: 150-Timberwood

VTD: 152-Woodglen

VTD: 154-Wheatfield

VTD: 155-Green Forest

VTD: 156-Oaks

VTD: 170-Starbuck

VTD: 206-Monticello

VTD: 207-Carriage Hills

VTD: 208-Twin Chimneys

VTD: 211-Summerset

VTD: 212-Canvas Cove

VTD: 215-Coachman

VTD: 218-DuVall

VTD: 219-Westfield

VTD: 220-Pitman

VTD: 221-Weldon Spring

VTD: 222-New Melle

VTD: 225-Augusta

VTD: 227-Whitmoor

VTD: 228-Shoshone

VTD: 229-Callaway

VTD: 230-Claybrook

VTD: 231-Wolfrum

VTD: 234-Windcastle

St. Louis MO County (part)

VTD: BON001
VTD: BON002
VTD: BON003
VTD: BON004
VTD: BON005
VTD: BON006
VTD: BON007
VTD: BON008
VTD: BON009
VTD: BON010
VTD: BON011
VTD: BON012
VTD: BON013
VTD: BON014
VTD: BON015
VTD: BON016
VTD: BON017
VTD: BON018
VTD: BON019
VTD: BON020
VTD: BON021
VTD: BON022
VTD: BON023
VTD: BON024
VTD: BON025
VTD: BON026
VTD: BON027
VTD: BON028
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VTD: BON031
VTD: BON032
VTD: BON033
VTD: BON034
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VTD: BON036
VTD: BON037
VTD: BON038
VTD: BON039
VTD: BON040
VTD: BON041
VTD: BON042
VTD: BON043
VTD: BON044
VTD: BON045
VTD: BON046
VTD: BON047
VTD: BON048
VTD: BON202
VTD: BON203
VTD: BON206
VTD: BON207
VTD: BON210
VTD: BON211
VTD: CC001
VTD: CC002

VTD: CC003
VTD: CC004
VTD: CC005
VTD: CC006
VTD: CC007
VTD: CC008
VTD: CC009
VTD: CC010
VTD: CC011
VTD: CC012 (part)
Block: 291892155004012
Block: 291892155004016
Block: 291892155004017
Block: 291892155004021
Block: 291892155004023
VTD: CC014
VTD: CC016
VTD: CC017
VTD: CC018 (part)
Block: 291892150031011
Block: 291892150031016
Block: 291892150031017
Block: 291892150031019
Block: 291892150031025
VTD: CC023
VTD: CC024
VTD: CC030
VTD: CC031
VTD: CC032
VTD: CC033
VTD: CC035
VTD: CC036
VTD: CC037
VTD: CC041
VTD: CC044
VTD: CC045
VTD: CC047
VTD: CC049
VTD: CC050
VTD: CC051
VTD: CC052
VTD: CC053 (part)
Block: 291892150031042
Block: 291892150041015
Block: 291892150041016
Block: 291892150052005
Block: 291892150052006
Block: 291892150052007
Block: 291892150052008
Block: 291892150052010
Block: 291892150052011
Block: 291892150053000
Block: 291892150053001
Block: 291892150053010
Block: 291892150053011
Block: 291892150053012

VTD: CC055
VTD: CC056
VTD: CC058 (part)
Block: 291892150051010
Block: 291892150051013
Block: 291892150051014
Block: 291892150052017
Block: 291892150052018
Block: 291892150052020
Block: 291892150052021
Block: 291892150052022
Block: 291892150052023
Block: 291892150052024
Block: 291892150052025
Block: 291892150052026
Block: 291892150053021
Block: 291892150053028
Block: 291892150053029
Block: 291892150053030
Block: 291892150054012
Block: 291892150054013
Block: 291892153011000
Block: 291892153011001
Block: 291892153011002
Block: 291892153011003
Block: 291892155001016
Block: 291892155001017
Block: 291892156001048
Block: 291892156001049
Block: 291892156001054
VTD: CC059
VTD: CC061 (part)
Block: 291892155004020
VTD: CC062 (part)
Block: 291892155004013
Block: 291892155004018
Block: 291892155004019
Block: 291892155004022
Block: 291892155004024
VTD: CC203 (part)
Block: 291892156001022
Block: 291892156001023
Block: 291892156001026
Block: 291892156001027
VTD: CC206
VTD: CC208
VTD: CC214
VTD: CC216
VTD: CHE001
VTD: CHE002
VTD: CHE003
VTD: CHE004
VTD: CHE005
VTD: CHE006
VTD: CHE007
VTD: CHE008

VTD: CHE009
VTD: CHE010
VTD: CHE011
VTD: CHE012
VTD: CHE013
VTD: CHE014
VTD: CHE015
VTD: CHE016
VTD: CHE017
VTD: CHE018
VTD: CHE019
VTD: CHE020
VTD: CHE021
VTD: CHE022
VTD: CHE023
VTD: CHE024
VTD: CHE025
VTD: CHE026
VTD: CHE027
VTD: CHE028
VTD: CHE029
VTD: CHE030
VTD: CHE031
VTD: CHE032
VTD: CHE033
VTD: CHE035
VTD: CHE036
VTD: CHE037
VTD: CHE038
VTD: CHE039
VTD: CHE040
VTD: CHE041
VTD: CHE042
VTD: CHE043
VTD: CHE044
VTD: CHE045
VTD: CHE046
VTD: CHE047
VTD: CHE048
VTD: CHE049
VTD: CHE050
VTD: CHE051
VTD: CHE052
VTD: CHE053
VTD: CHE054
VTD: CHE055
VTD: CHE056
VTD: CHE200
VTD: CHE203
VTD: CHE204
VTD: CHE209
VTD: CHE212
VTD: CHE214
VTD: CHE215
VTD: CLA002
VTD: CLA003 (part)

Block: 291892164001000
Block: 291892164001001
Block: 291892164001003
Block: 291892164001004
Block: 291892164001007
Block: 291892164001008
Block: 291892164001014
Block: 291892164002014
Block: 291892164002015
VTD: CLA004
VTD: CLA006
VTD: CLA007
VTD: CLA008
VTD: CLA009
VTD: CLA010
VTD: CLA011 (part)
Block: 291892165001000
Block: 291892165001001
Block: 291892165001002
Block: 291892165001003
Block: 291892165001004
Block: 291892165001006
Block: 291892165001007
Block: 291892165001008
Block: 291892165001009
Block: 291892165001010
Block: 291892165001011
Block: 291892165001012
Block: 291892165001013
Block: 291892165001014
Block: 291892165001015
Block: 291892165001016
Block: 291892165001017
Block: 291892165001018
Block: 291892165001019
Block: 291892165002003
Block: 291892165002004
Block: 291892165002016
Block: 291892165002017
Block: 291892165002018
VTD: CLA012
VTD: CLA013
VTD: CLA014
VTD: CLA015 (part)
Block: 291892154002002
Block: 291892154002003
Block: 291892154002004
Block: 291892154002005
Block: 291892154002006
Block: 291892154002007
Block: 291892154002008
Block: 291892154002009
Block: 291892154002010
Block: 291892154002011
Block: 291892154002013
Block: 291892154002014

Block: 291892154002015
Block: 291892154002016
Block: 291892154002017
Block: 291892155004025
VTD: CLA016
VTD: CLA017
VTD: CLA018
VTD: CLA019
VTD: CLA020
VTD: CLA024
VTD: CLA025
VTD: CLA026
VTD: CLA027
VTD: CLA028
VTD: CLA029
VTD: CLA030
VTD: CLA031
VTD: CLA032
VTD: CLA033
VTD: CLA034
VTD: CLA035
VTD: CLA036
VTD: CLA037
VTD: CLA038
VTD: CLA039
VTD: CLA040
VTD: CLA041
VTD: CLA042
VTD: CLA043
VTD: CLA044
VTD: CLA045
VTD: CLA046
VTD: CLA047
VTD: CLA048
VTD: CLA049
VTD: CLA050 (part)
Block: 291892189004000
Block: 291892189004001
Block: 291892189004002
Block: 291892189004003
Block: 291892189004004
Block: 291892189004005
Block: 291892189004006
Block: 291892189004007
Block: 291892189004008
Block: 291892189004010
Block: 291892189004011
Block: 291892189004012
Block: 291892189004013
Block: 291892189004014
Block: 291892189004015
Block: 291892189004016
Block: 291892189004017
Block: 291892189004018
Block: 291892189004020
Block: 291892189004021

Block: 291892189004022

VTD: CLA053

VTD: CLA055

VTD: CLA057

VTD: CLA058

VTD: CLA059

VTD: CLA200

VTD: CLA204

VTD: CLA206

VTD: CLA207

VTD: CLA208

VTD: CLA209

VTD: CLA212

VTD: CLA213

VTD: CLA214

VTD: CON001

VTD: CON002

VTD: CON003

VTD: CON004

VTD: CON005

VTD: CON006

VTD: CON007

VTD: CON008

VTD: CON009

VTD: CON010

VTD: CON011

VTD: CON012

VTD: CON013

VTD: CON014

VTD: CON015

VTD: CON016

VTD: CON017

VTD: CON018

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VTD: CON022

VTD: CON023

VTD: CON024

VTD: CON025

VTD: CON026

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VTD: CON049
VTD: CON050
VTD: CON051
VTD: CON052
VTD: CON200
VTD: CON201
VTD: CON203
VTD: CON204
VTD: CON205
VTD: GRA001
VTD: GRA002
VTD: GRA003
VTD: GRA004
VTD: GRA005
VTD: GRA006
VTD: GRA007
VTD: GRA008
VTD: GRA009
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VTD: GRA020
VTD: GRA021
VTD: GRA022
VTD: GRA023
VTD: GRA024
VTD: GRA025
VTD: GRA026
VTD: GRA028
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VTD: GRA043
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VTD: GRA051
VTD: GRA052
VTD: GRA053
VTD: GRA054
VTD: GRA055
VTD: GRA056
VTD: GRA202
VTD: GRA203
VTD: GRA204
VTD: GRA205
VTD: GRA206
VTD: GRA209
VTD: GRA210
VTD: JEF001
VTD: JEF002
VTD: JEF003
VTD: JEF004
VTD: JEF005
VTD: JEF006
VTD: JEF007
VTD: JEF008
VTD: JEF009
VTD: JEF010
VTD: JEF011
VTD: JEF012
VTD: JEF015
VTD: JEF016
VTD: JEF017 (part)
Block: 291892196001016
Block: 291892196001017
VTD: JEF018 (part)
Block: 291892191004014
Block: 291892191004015
Block: 291892191004016
Block: 291892191004017
Block: 291892192002013
Block: 291892192002014
Block: 291892195003000
Block: 291892196003002
Block: 291892196003013
Block: 291892196003014
Block: 291892196003018
VTD: JEF021
VTD: JEF022
VTD: JEF023 (part)
Block: 291892193002000
Block: 291892193002005

Block: 291892193002006
 Block: 291892193002007
 Block: 291892193002008
 Block: 291892193002009
 Block: 291892193002010
 Block: 291892193002011
 Block: 291892193002012
 Block: 291892193002013
 Block: 291892193002014
 VTD: JEF025
 VTD: JEF026
 VTD: JEF027
 VTD: JEF029
 VTD: JEF030 (part)
 Block: 291892195001001
 Block: 291892195003001
 Block: 291892195003002
 Block: 291892195003003
 Block: 291892195003004
 Block: 291892195003005
 Block: 291892195003006
 Block: 291892195003007
 Block: 291892195003008
 Block: 291892195003009
 Block: 291892195003010
 Block: 291892195003011
 Block: 291892195003012
 Block: 291892195003013
 Block: 291892195003014
 Block: 291892195003015
 Block: 291892195003016
 Block: 291892195003017
 Block: 291892195004000
 Block: 291892195004002
 Block: 291892195004003
 VTD: JEF031
 VTD: JEF032
 VTD: JEF033
 VTD: JEF034
 VTD: JEF035
 VTD: JEF036
 VTD: JEF037
 VTD: JEF038
 VTD: JEF039
 VTD: JEF040
 VTD: JEF041
 VTD: JEF042
 VTD: JEF043
 VTD: JEF044
 VTD: JEF045
 VTD: JEF046
 VTD: JEF048 (part)
 Block: 291892188003002
 Block: 291892188003008
 Block: 291892193002001
 Block: 291892193002002

Block: 291892193002003
Block: 291892193002004
Block: 291892193002018
VTD: JEF049
VTD: JEF050
VTD: JEF200 (part)
Block: 291892196001014
Block: 291892196001015
Block: 291892196001018
Block: 291892196001019
VTD: JEF201
VTD: LAF001
VTD: LAF002
VTD: LAF003
VTD: LAF004
VTD: LAF005
VTD: LAF006
VTD: LAF007
VTD: LAF008
VTD: LAF009
VTD: LAF010
VTD: LAF011
VTD: LAF012
VTD: LAF013
VTD: LAF014
VTD: LAF015
VTD: LAF016
VTD: LAF017
VTD: LAF018
VTD: LAF019
VTD: LAF020
VTD: LAF021
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Block: 291892132022004
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Block: 291892132022008
Block: 291892132022009
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VTD: MID001 (part)
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VTD: MID057
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VTD: MID201
VTD: MID207 (part)
Block: 291892150011047
Block: 291892150011098
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VTD: NW007
VTD: NW008 (part)
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VTD: NW013 (part)
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Block: 291892151431092
VTD: NW015
VTD: NW018
VTD: NW019 (part)
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Block: 291892132025019
Block: 291892132025021
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VTD: NW023
VTD: NW024
VTD: NW025 (part)
Block: 291892114013002
Block: 291892114013003
Block: 291892114013040
VTD: NW027
VTD: NW029
VTD: NW030 (part)
Block: 291892114013012
Block: 291892114013013
Block: 291892114013030
VTD: NW032 (part)
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Block: 291892151431005
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VTD: NW041
VTD: NW042 (part)
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Block: 291892131022057
VTD: NW044
VTD: NW046
VTD: NW048 (part)
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VTD: NW052
VTD: NW206 (part)
Block: 291892151431052
VTD: NW208
VTD: NW209

VTD: NW210
VTD: NW213
VTD: NW215
VTD: NW231
VTD: OAK001
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VTD: OAK003
VTD: OAK004
VTD: OAK005
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VTD: QUE217
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VTD: UNV031 (part)
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VTD: WH209
VTD: WH212
Warren MO County (part)
VTD: Concord Hill
VTD: Dutzow
VTD: Holstein
VTD: Hopewell
VTD: Innsbrook
VTD: Lake Sherwood
VTD: Marthasville
VTD: North Hickory Grove (part)
Block: 292198201032077
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Block: 292198201032101
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Block: 292198201033114
Block: 292198201033117
Block: 292198201033118
Block: 292198201033125
Block: 292198201033126
Block: 292198201033127
Block: 292198201033128
VTD: Smith Creek
VTD: South Hickory Grove
VTD: Wright City Ward 1 (part)
Block: 292198201032062
Block: 292198201032063
VTD: Wright City Ward 2 (part)
Block: 292198201032072
Block: 292198201033040"; and

Further amend said bill, Pages 65 to 74, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following:

"Audrain MO County
Callaway MO County
Camden MO County (part)
VTD: Barnumton
VTD: Camdenton 1
VTD: Camdenton 2
VTD: Camdenton 3
VTD: Climax Springs (part)
Block: 290299507001000
Block: 290299507001002
Block: 290299507001004
Block: 290299507001006

Block: 290299507001007
Block: 290299507001008
Block: 290299507001009
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Block: 290299507001011
Block: 290299507001012
Block: 290299507001013
Block: 290299507001014
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VTD: Decaturville
VTD: Freedom
VTD: Greenview
VTD: Ha Ha Tonka

VTD: Hillhouse
VTD: Horseshoe Bend
VTD: Linn Creek
VTD: Macks Creek
VTD: Montreal
VTD: Osage Beach 1
VTD: Osage Beach 2
VTD: Osage Beach 3
VTD: Roach
VTD: Stoutland
VTD: Sunny Slope
VTD: Sunrise Beach 1
VTD: Sunrise Beach 2
VTD: Sunrise Beach 3
VTD: Wilson Bend
Cole MO County
Franklin MO County (part)
VTD: BEAUFORT- LYON
VTD: BERGER OUT OF TOWN
VTD: BERGER WARD 1
VTD: BERGER WARD 2
VTD: CATAWISSA
VTD: CLOVER BOTTOM EAST
VTD: CLOVER BOTTOM WEST
VTD: DETMOLD
VTD: EXCELSIOR
VTD: GILDEHAUS
VTD: GRAY SUMMIT
VTD: JAEGER'S SHOP
VTD: KRAKOW
VTD: LABADIE
VTD: LYON
VTD: NEW HAVEN WARD 1
VTD: NEW HAVEN WARD 2
VTD: PACIFIC OUT OF TOWN
VTD: PACIFIC WARD 1
VTD: PACIFIC WARD 2
VTD: PACIFIC WARD 3
VTD: PRAIRIE DELL (part)
Block: 290718006023000
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VTD: ROBERTSVILLE
VTD: SOUTH POINT
VTD: ST ALBANS
VTD: UNION OUT OF TOWN (part)
Block: 290718001004069
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Block: 290718006022016
Block: 290718006022017
VTD: UNION WARD 1
VTD: UNION WARD 2
VTD: UNION WARD 3
VTD: UNION WARD 4
VTD: VILLA RIDGE
VTD: WASHINGTON WARD 1
VTD: WASHINGTON WARD 2
VTD: WASHINGTON WARD 3
VTD: WASHINGTON WARD 4
VTD: YEATES
VTD: ZIEGENMEYER
Gasconade MO County
Jefferson MO County (part)
VTD: Antonia No. 1
VTD: Antonia No. 2
VTD: Arnold No. 2 (part)
Block: 290997001103017
Block: 290997001103022
Block: 290997001103023
Block: 290997001152032
Block: 290997001172037
VTD: Barnhart No. 1
VTD: Barnhart No. 2
VTD: Byrnes Mill Ward 1
VTD: Byrnes Mill Ward 2
VTD: Byrnes Mill Ward 3
VTD: Byrnesville
VTD: Cedar Hill Lakes
VTD: Cedar Hill No. 1
VTD: Cedar Hill No. 2
VTD: Flamm City
VTD: Goldman No. 1
VTD: Grubville No. 1
VTD: Grubville No. 2
VTD: High Ridge 3-1
VTD: High Ridge No. 2
VTD: Hillsboro P-1 (part)
Block: 290997005024002
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Block: 290997005024120
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Block: 290997011011004
VTD: Hoene Springs
VTD: House Springs 1-1
VTD: House Springs 1-2
VTD: House Springs No. 2
VTD: Imperial No. 1
VTD: Imperial No. 2
VTD: Imperial No. 3
VTD: Jefferson Heights
VTD: Kimmswick
VTD: Lake Tishomingo (part)
Block: 290997005021009
Block: 290997005021010
Block: 290997005021011
Block: 290997005021012
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Block: 290997005021030
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Block: 290997005023011
Block: 290997005023012
Block: 290997005023013
Block: 290997005023014
Block: 290997005023016
Block: 290997005023018
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Block: 290997005024001
Block: 290997005024003
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Block: 290997005043017
Block: 290997011021030
Block: 290997011021031
VTD: Mapaville (part)
Block: 290997006041052
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Block: 290997006042028
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Block: 290997006042031
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Block: 290997006052011
Block: 290997006052012
Block: 290997006052013
Block: 290997006052014
Block: 290997006052020
Block: 290997006052021
Block: 290997006052023
Block: 290997006052024
Block: 290997006052036
VTD: Maxville No. 2 (part)
Block: 290997001132010
Block: 290997001132011
Block: 290997001132012
Block: 290997001132013
Block: 290997001132019
Block: 290997001132020
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Block: 290997001132022
Block: 290997001132023
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VTD: McNamee R-1

VTD: Meramec Valley/McNamee

VTD: Miller

VTD: Rock Creek No. 1 (part)

Block: 290997002062004

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VTD: Rock Creek No. 2 (part)

Block: 290997002061000

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VTD: Rock Creek No. 3

VTD: Rockwood-6/Hoene Springs

VTD: Rockwood-6/McNamee

VTD: Scotsdale

VTD: Ware (part)

Block: 290997005021033

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VTD: Windsor

Lincoln MO County

Maries MO County

Miller MO County

Montgomery MO County

Osage MO County

St. Charles MO County (part)

VTD: 001-Kampville

VTD: 004-Orchard Farm

VTD: 005-Rivers

VTD: 014-Lincoln

VTD: 015-Washington

VTD: 016-Montclair

VTD: 021-Truman

VTD: 022-Cheshire

VTD: 024-Wilshire

VTD: 025-Shirewood

VTD: 028-Treetop

VTD: 031-Sibley

VTD: 033-Canary

VTD: 034-McNair

VTD: 036-Sun Lake

VTD: 041-Government

VTD: 043-Marina

VTD: 045-Mamelle

VTD: 047-Covilli

VTD: 051-St. Cletus

VTD: 054-Coverdell

VTD: 056-Edgewood

VTD: 057-Hanover

VTD: 062-Adams

VTD: 063-St. Andrews

VTD: 071-Fairways

VTD: 080-Heritage

VTD: 100-McClay
VTD: 102-Tanglewood
VTD: 103-Cave Springs
VTD: 104-Hi Point
VTD: 106-Spencer
VTD: 107-Oak Creek
VTD: 113-Briarhill
VTD: 121-St. Marys
VTD: 122-Mid Rivers
VTD: 126-Meadow Valley
VTD: 128-Fairmount
VTD: 131-Shadow Creek
VTD: 132-Country Hill
VTD: 140-Laura Hill
VTD: 145-Salt Lick
VTD: 148-Winds
VTD: 149-Sunny Hill
VTD: 151-Glengate
VTD: 153-Aspen
VTD: 157-Patriot
VTD: 159-Hillcrest
VTD: 160-Harmony
VTD: 161-Montbrook
VTD: 162-Elks
VTD: 163-Civic
VTD: 165-St. Paul
VTD: 166-Mount Hope
VTD: 167-Morningside
VTD: 169-Highgrove
VTD: 173-Turtle Creek
VTD: 181-Community
VTD: 182-Evergreen
VTD: 183-Foristell
VTD: 184-Flint Hill
VTD: 185-Josephville
VTD: 186-Twin Oaks
VTD: 187-Fairview
VTD: 189-Pioneer
VTD: 190-Peine
VTD: 193-Delmar
VTD: 194-Amber Meadows
VTD: 196-Phoenix
VTD: 197-Feise
VTD: 198-Cedar
VTD: 199-Regatta Bay
VTD: 200-Normandy
VTD: 202-Ridgepoint
VTD: 203-Fieldcrest
VTD: 205-Bayfield
VTD: 210-Freymuth
VTD: 213-Bryan
VTD: 214-Hawk Ridge
VTD: 217-Keystone
VTD: 226-Hopewell
Warren MO County (part)
VTD: Elkhorn North

VTD: Elkhorn South
VTD: Gore - Case
VTD: Macedonia
VTD: North Hickory Grove (part)
Block: 292198201031000
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Block: 292198201033124
Block: 292198201033130
Block: 292198201033131
VTD: Pendleton
VTD: Truesdale
VTD: Walnut Grove
VTD: Warrenton Ward 1
VTD: Warrenton Ward 2
VTD: Warrenton Ward 3
VTD: Weeks
VTD: Wright City Ward 1 (part)
Block: 292198201031070
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VTD: Wright City Ward 2 (part)

Block: 292198201032073

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Block: 292198201032100

Block: 292198201033034
Block: 292198201033036
Block: 292198201033039
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Block: 292198201033052
Block: 292198201033129"; and

Further amend said bill, Pages 74 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following:

"Barton MO County
Bates MO County
Benton MO County
Boone MO County
Camden MO County (part)
VTD: Climax Springs (part)
Block: 290299507001001
Block: 290299507001003
Block: 290299507001005
Block: 290299507001039
Block: 290299507001041
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Block: 290299507001143
Block: 290299507001144
Block: 290299507001145
Block: 290299507001150
Block: 290299507002123
Cass MO County
Cedar MO County
Cooper MO County
Dade MO County
Dallas MO County
Henry MO County
Hickory MO County

Howard MO County
Johnson MO County
Laclede MO County
Moniteau MO County
Morgan MO County
Pettis MO County
Polk MO County (part)
VTD: Campbell
VTD: Cliquot
VTD: East Madison
VTD: Flemington
VTD: Jefferson
VTD: Johnson
VTD: McKinley
VTD: Mooney
VTD: North Benton
VTD: North Greene
VTD: Northeast Marion (part)
Block: 291679602001188
Block: 291679602001189
Block: 291679602001190
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Block: 291679602001199
Block: 291679602001200
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Block: 291679602005006
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Block: 291679602005033
Block: 291679602005034
VTD: Northwest Marion (part)
Block: 291679601002118
Block: 291679601002119
Block: 291679601002121
Block: 291679601002136
Block: 291679601002138
Block: 291679601002139
Block: 291679601002140
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Block: 291679602003100
Block: 291679602003104
Block: 291679602003105
Block: 291679602003106
Block: 291679602003107
Block: 291679602003125
VTD: South Benton

VTD: South Greene

VTD: Southeast Marion (part)

Block: 291679603002000

Block: 291679603003003

Block: 291679603003004

Block: 291679603003005

Block: 291679603003006

Block: 291679603003007

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Block: 291679603003099

Block: 291679603003100

Block: 291679603003101

Block: 291679603003102

Block: 291679603003114

VTD: West Madison

Pulaski MO County

Randolph MO County (part)

VTD: Clark

VTD: Higbee

VTD: Mt. Airy (part)

Block: 291754902002093

Block: 291754906002036

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Block: 291754906002091

Block: 291754906002092

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Block: 291754906002094

Block: 291754906002096

VTD: North Sugar Creek (part)

Block: 291754901002058

Block: 291754901002059

Block: 291754901002060

Block: 291754901002061

Block: 291754901002062

Block: 291754901002063

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VTD: Salt Springs (part)

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Block: 291754905003086
Block: 291754905003087
Block: 291754905003088
Block: 291754905003089
Block: 291754905003091
Block: 291754905003092
Block: 291754906001009
Block: 291754906001010
Block: 291754906001011
Block: 291754906001012
Block: 291754906001013
Block: 291754906001014
Block: 291754906001015
Block: 291754906001016
Block: 291754906001017
Block: 291754906001031
Block: 291754906001070
Block: 291754906001071
Block: 291754906001072
Block: 291754906001073
Block: 291754906001074
Block: 291754906001075
Block: 291754906001076
Block: 291754906001077
VTD: Union (part)
Block: 291754901002029
Block: 291754901002040
Block: 291754901002041
Block: 291754901002042
Block: 291754901002043
Block: 291754901002044
Block: 291754901002045

Block: 291754901002046
Block: 291754901002047
Block: 291754901002051
Block: 291754901002052
Block: 291754901002053
Block: 291754901002056
Block: 291754901002057
Block: 291754901002066
Block: 291754901002067
Block: 291754901002072
Block: 291754901002073
Block: 291754901002074
Block: 291754901002116
Block: 291754901002117
Block: 291754901002158
Block: 291754901002159
Block: 291754901002163
Block: 291754901003172
Block: 291754901003173
Block: 291754903003020
Block: 291754903003021
Block: 291754903003022
Block: 291754903003023
Block: 291754903003024
Block: 291754903003027
Block: 291754903003028
Block: 291754903003029
Block: 291754903003030
Block: 291754903003031
Block: 291754903003032
Block: 291754903003033
Block: 291754903003034
Block: 291754903003035
Block: 291754903003036
Block: 291754903003042
Block: 291754903003043
Block: 291754903003044
Block: 291754903003045
Block: 291754903003046
Block: 291754903003047
Block: 291754903003085
Block: 291754903003086
Block: 291754903003107
VTD: Yates
St. Clair MO County
Vernon MO County
Webster MO County
Wright MO County"; and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following:

"Clay MO County (part)
VTD: Chou 8 (part)
Block: 290470208012009
Block: 290470208012013

Block: 290470208012014
Block: 290470208012015
Block: 290470208012021
Block: 290470208012022
Block: 290470208012023
Block: 290470208012024
Block: 290470208012025
Block: 290470208012026
Block: 290470208012027
Block: 290470208012028
Block: 290470208012029
Block: 290470208012030
Block: 290470208013004
Block: 290470208013005
Block: 290470208013006
Block: 290470208013007
Block: 290470208013008
Block: 290470208013009
Block: 290470208013010
Block: 290470208013011
Block: 290470208013012
Block: 290470208013013
Block: 290470208013014
Block: 290470208013015
Block: 290470208013016
Block: 290470208013017
Block: 290470208013018
Block: 290470208013019
Block: 290470208013020
Block: 290470208013021
Block: 290470208013022
Block: 290470208013023
Block: 290470208013024
Block: 290470208013025
Block: 290470208013026
Block: 290470208013027
Block: 290470208013028
Block: 290470208013029
Block: 290470208013030
Block: 290470208013031
Block: 290470208013032
Block: 290470223021026
Block: 290470223021028
Block: 290470223021030
Block: 290470223021031
Block: 290470223021032
Block: 290470223021033
Block: 290470223021034
Block: 290470223021035
Block: 290470223021036
Block: 290470223021037
Block: 290470223021038
Block: 290470223021039
Block: 290470223021040
Block: 290470223021041
Block: 290470223021042

Block: 290470223021043
Block: 290470223021044
Block: 290470223021045
Block: 290470223021046
Block: 290470223021047
Block: 290470223021049
Block: 290470223021051
Block: 290470223021052
Block: 290470223021053
Block: 290470223021054
Block: 290470223021055
Block: 290470223021056
VTD: Gal 1
VTD: Gal 10
VTD: Gal 11
VTD: Gal 12
VTD: Gal 13
VTD: Gal 14
VTD: Gal 15
VTD: Gal 16
VTD: Gal 18
VTD: Gal 2
VTD: Gal 3
VTD: Gal 4
VTD: Gal 5
VTD: Gal 6
VTD: Gal 7
VTD: Gal 9
VTD: KC 21-10
VTD: KC 21-11
VTD: KC 21-12 (part)
Block: 290470212053030
Block: 290470212062000
Block: 290470212062001
Block: 290470212062002
Block: 290470212062003
Block: 290470212062004
Block: 290470212062005
Block: 290470212062006
Block: 290470212062007
Block: 290470212062008
Block: 290470212062009
Block: 290470212062010
Block: 290470212062011
Block: 290470212062012
Block: 290470212062013
Block: 290470212062014
Block: 290470212062015
Block: 290470212062016
Block: 290470212062017
Block: 290470212062018
Block: 290470212062019
Block: 290470212062020
Block: 290470212062021
Block: 290470212062022
Block: 290470212062023

Block: 290470212062024
Block: 290470212062025
Block: 290470212062026
Block: 290470212062027
Block: 290470212062028
Block: 290470212062029
Block: 290470212062030
Block: 290470212062031
Block: 290470212062032
Block: 290470212062033
Block: 290470212062034
Block: 290470212062035
Block: 290470212062036
Block: 290470212062037
Block: 290470212062038
Block: 290470212062039
Block: 290470212062040
Block: 290470212062041
Block: 290470212062042
Block: 290470212062043
Block: 290470212062044
Block: 290470212062045
Block: 290470212063001
Block: 290470212063002
Block: 290470212063003
Block: 290470212063004
Block: 290470212063005
Block: 290470212063006
Block: 290470212063007
Block: 290470212063008
Block: 290470212063009
Block: 290470212063012
Block: 290470212063013
Block: 290470212063014
Block: 290470212063015
Block: 290470212063016
Block: 290470212063017
Block: 290470212063018
Block: 290470212063019
Block: 290470212063020
Block: 290470212063021
Block: 290470212063024
Block: 290470212063025
Block: 290470212063026
Block: 290470212063027
VTD: KC 21-14
VTD: KC 21-16 (part)
Block: 290470212051000
Block: 290470212051001
Block: 290470212051002
Block: 290470212051003
Block: 290470212051004
Block: 290470212051005
Block: 290470212051006
Block: 290470212051007
Block: 290470212051008

Block: 290470212051009
Block: 290470212051010
Block: 290470212051011
Block: 290470212051012
Block: 290470212051013
Block: 290470212051014
Block: 290470212051015
Block: 290470212051016
Block: 290470212051017
Block: 290470212051018
Block: 290470212051019
Block: 290470212051020
Block: 290470212051021
Block: 290470212051022
Block: 290470212051023
Block: 290470212051024
Block: 290470212051025
Block: 290470212051026
Block: 290470212051027
Block: 290470212051028
Block: 290470212051029
Block: 290470212051030
Block: 290470212051032
Block: 290470212052011
Block: 290470212052021
Block: 290470212052022
Block: 290470212052023
Block: 290470212052024
Block: 290470212052026
Block: 290470212052027
Block: 290470212052028
Block: 290470212052029
Block: 290470212052030
Block: 290470212052034
Block: 290470212071014
Block: 290470212071015
Block: 290470212071016
Block: 290470212071017
Block: 290470212071018
Block: 290470212071019
Block: 290470212071020
Block: 290470212071021
Block: 290470212071022
Block: 290470212071023
Block: 290470212071024
Block: 290470212071025
Block: 290470212071026
Block: 290470212071027
Block: 290470212071029
Block: 290470212071030
Block: 290470212071031
Block: 290470212071032
Block: 290470212071033
Block: 290470212071034
Block: 290470212071035
Block: 290470212071036

Block: 290470212071037
Block: 290470212071038
Block: 290470212071039
Block: 290470212071040
Block: 290470212071041
Block: 290470212071042
Block: 290470212071043
Block: 290470212071044
Block: 290470212071045
Block: 290470212071046
Block: 290470212071047
Block: 290470212071048
Block: 290470212071049
Block: 290470212071050
Block: 290470212071051
Block: 290470212071053
Block: 290470212071054
Block: 290470212071055
Block: 290470212072030
Block: 290470212072040
Block: 290470212072041
VTD: KC 21-18
VTD: KC 21-19
VTD: KC 21-2 (part)
Block: 290470221002069
VTD: KC 21-20
VTD: KC 21-21
VTD: KC 21-22
VTD: KC 21-23
VTD: KC 21-24
VTD: KC 21-25
VTD: KC 21-3
VTD: KC 21-4
VTD: KC 21-5
VTD: KC 21-6
VTD: KC 21-7
VTD: KC 21-8
VTD: KC 21-9
VTD: Lib 13 (part)
Block: 290470222002030
VTD: Lib 5 (part)
Block: 290470208012016
Jackson MO County (part)
VTD: Blue Sub 1 No. 1
VTD: Blue Sub 1 No. 10
VTD: Blue Sub 1 No. 11 & 11A
VTD: Blue Sub 1 No. 12
VTD: Blue Sub 1 No. 13
VTD: Blue Sub 1 No. 14
VTD: Blue Sub 1 No. 18
VTD: Blue Sub 1 No. 2
VTD: Blue Sub 1 No. 4 & 4A
VTD: Blue Sub 1 No. 5
VTD: Blue Sub 1 No. 6 & 6B
VTD: Blue Sub 1 No. 6A
VTD: Blue Sub 1 No. 7

VTD: Blue Sub 1 No. 8,15,& 16
VTD: Blue Sub 1 No. 9
VTD: Blue Sub 2 No. 1
VTD: Blue Sub 2 No. 10
VTD: Blue Sub 2 No. 2
VTD: Blue Sub 2 No. 3
VTD: Blue Sub 2 No. 3A
VTD: Blue Sub 2 No. 4
VTD: Blue Sub 2 No. 5
VTD: Blue Sub 2 No. 6
VTD: Blue Sub 2 No. 7
VTD: Blue Sub 2 No. 8
VTD: Blue Sub 2 No. 9
VTD: Blue Sub 3 No. 1
VTD: Blue Sub 3 No. 11 (part)
Block: 290950147021001
Block: 290950147021003
Block: 290950148041013
Block: 290950148041023
VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N
VTD: Blue Sub 3 No. 15A
VTD: Blue Sub 3 No. 16 & 16A
VTD: Blue Sub 3 No. 2
VTD: Blue Sub 3 No. 3
VTD: Blue Sub 3 No. 4
VTD: Blue Sub 3 No. 5
VTD: Blue Sub 3 No. 5A
VTD: Blue Sub 3 No. 9
VTD: Blue Sub 4 No. 1
VTD: Blue Sub 4 No. 10
VTD: Blue Sub 4 No. 11
VTD: Blue Sub 4 No. 12
VTD: Blue Sub 4 No. 2
VTD: Blue Sub 4 No. 3
VTD: Blue Sub 4 No. 4
VTD: Blue Sub 4 No. 5
VTD: Blue Sub 4 No. 6
VTD: Blue Sub 4 No. 7
VTD: Blue Sub 4 No. 8
VTD: Blue Sub 4 No. 9
VTD: Blue Sub 5 No. 1
VTD: Blue Sub 5 No. 11
VTD: Blue Sub 5 No. 13
VTD: Blue Sub 5 No. 14
VTD: Blue Sub 5 No. 15
VTD: Blue Sub 5 No. 2
VTD: Blue Sub 5 No. 3
VTD: Blue Sub 5 No. 4
VTD: Blue Sub 5 No. 5 & 12
VTD: Blue Sub 5 No. 6
VTD: Blue Sub 5 No. 7
VTD: Blue Sub 5 No. 8
VTD: Blue Sub 5 No. 9
VTD: Blue Sub 6 No. 1
VTD: Blue Sub 6 No. 10
VTD: Blue Sub 6 No. 11

VTD: Blue Sub 6 No. 12
 VTD: Blue Sub 6 No. 2
 VTD: Blue Sub 6 No. 3
 VTD: Blue Sub 6 No. 4
 VTD: Blue Sub 6 No. 5
 VTD: Blue Sub 6 No. 5A
 VTD: Blue Sub 6 No. 6
 VTD: Blue Sub 6 No. 6A
 VTD: Blue Sub 6 No. 7 & 7N
 VTD: Blue Sub 6 No. 8
 VTD: Blue Sub 6 No. 8A
 VTD: Blue Sub 6 No. 9
 VTD: Blue Sub 7 No. 1
 VTD: Blue Sub 7 No. 10
 VTD: Blue Sub 7 No. 11
 VTD: Blue Sub 7 No. 12
 VTD: Blue Sub 7 No. 13
 VTD: Blue Sub 7 No. 14
 VTD: Blue Sub 7 No. 2
 VTD: Blue Sub 7 No. 2A
 VTD: Blue Sub 7 No. 3
 VTD: Blue Sub 7 No. 4
 VTD: Blue Sub 7 No. 5 & 5A
 VTD: Blue Sub 7 No. 6
 VTD: Blue Sub 7 No. 7
 VTD: Blue Sub 7 No. 8
 VTD: Blue Sub 7 No. 9
 VTD: Blue Sub 8 No. 1
 VTD: Blue Sub 8 No. 10 & 10A
 VTD: Blue Sub 8 No. 11 (part)
 Block: 290950145012022
 Block: 290950145012027
 Block: 290950145021000
 Block: 290950145021001
 Block: 290950145021002
 Block: 290950145021005
 Block: 290950145021008
 Block: 290950145021009
 Block: 290950145021012
 Block: 290950145021013
 Block: 290950145021015
 Block: 290950145021016
 Block: 290950145021017
 Block: 290950145021018
 Block: 290950145022035
 Block: 290950145022036
 Block: 290950145022037
 Block: 290950145022038
 Block: 290950145022039
 Block: 290950145022040
 Block: 290950145022041
 Block: 290950145022071
 VTD: Blue Sub 8 No. 12,12A,& 12B (part)
 Block: 290950145012000
 Block: 290950145012001
 Block: 290950145012002

Block: 290950145012003
Block: 290950145012004
Block: 290950145012005
Block: 290950145012006
Block: 290950145012007
Block: 290950145012008
Block: 290950145012009
Block: 290950145012010
Block: 290950145012011
Block: 290950145012012
Block: 290950145012013
Block: 290950145012014
Block: 290950145012015
Block: 290950145012018
Block: 290950145012019
Block: 290950145012020
Block: 290950145012021
Block: 290950145012034
Block: 290950145012035
Block: 290950145022028
Block: 290950145022029
Block: 290950145022030
Block: 290950145022031
Block: 290950145022032
Block: 290950145022033
Block: 290950145022034
Block: 290950146032029
Block: 290950146043026
Block: 290950146043027
VTD: Blue Sub 8 No. 13 & 13N
VTD: Blue Sub 8 No. 2
VTD: Blue Sub 8 No. 2A
VTD: Blue Sub 8 No. 3
VTD: Blue Sub 8 No. 5 & 5A
VTD: Blue Sub 8 No. 6
VTD: Blue Sub 8 No. 7
VTD: Blue Sub 8 No. 8
VTD: Blue Sub 8 No. 9
VTD: Blue Sub 8 No. 9A
VTD: Brooking No. 1
VTD: Brooking No. 10
VTD: Brooking No. 11
VTD: Brooking No. 12
VTD: Brooking No. 13
VTD: Brooking No. 14
VTD: Brooking No. 15
VTD: Brooking No. 16
VTD: Brooking No. 17
VTD: Brooking No. 18
VTD: Brooking No. 19
VTD: Brooking No. 2 & 2A
VTD: Brooking No. 20
VTD: Brooking No. 21
VTD: Brooking No. 22 & 22A
VTD: Brooking No. 23
VTD: Brooking No. 24

VTD: Brooking No. 25
 VTD: Brooking No. 26
 VTD: Brooking No. 27
 VTD: Brooking No. 28
 VTD: Brooking No. 3
 VTD: Brooking No. 4
 VTD: Brooking No. 5
 VTD: Brooking No. 6
 VTD: Brooking No. 7
 VTD: Brooking No. 8
 VTD: Brooking No. 9
 VTD: Brooking No. 9A
 VTD: Fort Osage No. 1,1A,2,& 3 (part)
 Block: 290950177003027
 Block: 290950177003028
 Block: 290950177003063
 Block: 290950177003064
 Block: 290950177003071
 Block: 290950177003078
 VTD: KC WD1 PCT101
 VTD: KC WD1 PCT102
 VTD: KC WD1 PCT103
 VTD: KC WD1 PCT104
 VTD: KC WD1 PCT105
 VTD: KC WD1 PCT106
 VTD: KC WD1 PCT107
 VTD: KC WD1 PCT108
 VTD: KC WD1 PCT109
 VTD: KC WD1 PCT110
 VTD: KC WD1 PCT111
 VTD: KC WD1 PCT511
 VTD: KC WD10 PCT1001
 VTD: KC WD10 PCT1002
 VTD: KC WD10 PCT1003
 VTD: KC WD10 PCT1004
 VTD: KC WD10 PCT1005
 VTD: KC WD10 PCT1006
 VTD: KC WD10 PCT1008
 VTD: KC WD10 PCT1009
 VTD: KC WD10 PCT1010
 VTD: KC WD10 PCT1011
 VTD: KC WD10 PCT1012
 VTD: KC WD10 PCT1013
 VTD: KC WD10 PCT1014
 VTD: KC WD10 PCT1015
 VTD: KC WD10 PCT2201
 VTD: KC WD11 PCT1101
 VTD: KC WD11 PCT1102
 VTD: KC WD11 PCT1103
 VTD: KC WD11 PCT1104
 VTD: KC WD11 PCT1105
 VTD: KC WD11 PCT1106
 VTD: KC WD11 PCT1107
 VTD: KC WD11 PCT1108
 VTD: KC WD11 PCT1109
 VTD: KC WD11 PCT1110

VTD: KC WD11 PCT1209
VTD: KC WD12 PCT1201
VTD: KC WD12 PCT1202
VTD: KC WD12 PCT1203
VTD: KC WD12 PCT1204
VTD: KC WD12 PCT1205
VTD: KC WD12 PCT1206
VTD: KC WD12 PCT1207
VTD: KC WD12 PCT1208
VTD: KC WD12 PCT1210
VTD: KC WD12 PCT1305
VTD: KC WD12 PCT1306
VTD: KC WD12 PCT1307
VTD: KC WD12 PCT1308
VTD: KC WD12 PCT1309
VTD: KC WD12 PCT1310
VTD: KC WD13 PCT1301
VTD: KC WD13 PCT1302
VTD: KC WD13 PCT1303
VTD: KC WD13 PCT1304
VTD: KC WD13 PCT1501
VTD: KC WD13 PCT1502
VTD: KC WD14 PCT1401
VTD: KC WD14 PCT1402
VTD: KC WD14 PCT1403
VTD: KC WD14 PCT1404
VTD: KC WD14 PCT1405
VTD: KC WD14 PCT1406
VTD: KC WD14 PCT1407
VTD: KC WD14 PCT1408
VTD: KC WD14 PCT1409
VTD: KC WD14 PCT1410
VTD: KC WD14 PCT1411
VTD: KC WD14 PCT1412
VTD: KC WD14 PCT1413
VTD: KC WD15 PCT1414
VTD: KC WD15 PCT1503
VTD: KC WD15 PCT1504
VTD: KC WD15 PCT1505
VTD: KC WD15 PCT1506
VTD: KC WD15 PCT1507
VTD: KC WD15 PCT1508
VTD: KC WD15 PCT1509
VTD: KC WD15 PCT1512
VTD: KC WD15 PCT1513
VTD: KC WD15 PCT1514
VTD: KC WD15 PCT311
VTD: KC WD15 PCT314
VTD: KC WD15 PCT718
VTD: KC WD16 PCT1511
VTD: KC WD16 PCT1601
VTD: KC WD16 PCT1602
VTD: KC WD16 PCT1603
VTD: KC WD16 PCT1604
VTD: KC WD16 PCT1605
VTD: KC WD16 PCT1607

VTD: KC WD16 PCT1608
 VTD: KC WD16 PCT1609
 VTD: KC WD16 PCT1610
 VTD: KC WD16 PCT1611
 VTD: KC WD16 PCT1612
 VTD: KC WD16 PCT1613
 VTD: KC WD16 PCT1614
 VTD: KC WD16 PCT1615
 VTD: KC WD16 PCT1616
 VTD: KC WD16 PCT717
 VTD: KC WD17 PCT1606
 VTD: KC WD17 PCT1617
 VTD: KC WD17 PCT1618
 VTD: KC WD17 PCT1701
 VTD: KC WD17 PCT1702
 VTD: KC WD17 PCT1703
 VTD: KC WD17 PCT1704
 VTD: KC WD17 PCT1705
 VTD: KC WD17 PCT1706
 VTD: KC WD17 PCT1707
 VTD: KC WD17 PCT1708
 VTD: KC WD17 PCT1712
 VTD: KC WD17 PCT1814
 VTD: KC WD18 PCT1801
 VTD: KC WD18 PCT1802
 VTD: KC WD18 PCT1803
 VTD: KC WD18 PCT1804
 VTD: KC WD18 PCT1805
 VTD: KC WD18 PCT1806
 VTD: KC WD18 PCT1807
 VTD: KC WD18 PCT1808
 VTD: KC WD18 PCT1809
 VTD: KC WD18 PCT1810
 VTD: KC WD18 PCT1812
 VTD: KC WD18 PCT1813
 VTD: KC WD18 PCT1816
 VTD: KC WD19 PCT1709
 VTD: KC WD19 PCT1710
 VTD: KC WD19 PCT1815
 VTD: KC WD19 PCT1817
 VTD: KC WD19 PCT1903
 VTD: KC WD19 PCT1905
 VTD: KC WD19 PCT1906
 VTD: KC WD19 PCT1907
 VTD: KC WD19 PCT1908
 VTD: KC WD19 PCT1909
 VTD: KC WD19 PCT1910
 VTD: KC WD19 PCT1911
 VTD: KC WD19 PCT1912
 VTD: KC WD19 PCT1913
 VTD: KC WD19 PCT1914
 VTD: KC WD19 PCT1916
 VTD: KC WD19 PCT1917
 VTD: KC WD19 PCT1918
 VTD: KC WD19 PCT1919
 VTD: KC WD19 PCT903

VTD: KC WD19 PCT912
VTD: KC WD2 PCT201
VTD: KC WD2 PCT202
VTD: KC WD2 PCT203
VTD: KC WD2 PCT204
VTD: KC WD2 PCT205
VTD: KC WD2 PCT206
VTD: KC WD2 PCT207
VTD: KC WD2 PCT208
VTD: KC WD2 PCT209
VTD: KC WD2 PCT210
VTD: KC WD2 PCT211
VTD: KC WD2 PCT212
VTD: KC WD2 PCT213
VTD: KC WD2 PCT214
VTD: KC WD2 PCT215
VTD: KC WD2 PCT216
VTD: KC WD20 PCT1901
VTD: KC WD20 PCT2002
VTD: KC WD20 PCT2003
VTD: KC WD20 PCT2004
VTD: KC WD20 PCT2005
VTD: KC WD20 PCT2006
VTD: KC WD20 PCT2007
VTD: KC WD20 PCT2008
VTD: KC WD20 PCT2009
VTD: KC WD20 PCT2010
VTD: KC WD22 PCT1007
VTD: KC WD22 PCT2202
VTD: KC WD22 PCT2203
VTD: KC WD22 PCT2204
VTD: KC WD22 PCT2205
VTD: KC WD22 PCT2206
VTD: KC WD22 PCT2207
VTD: KC WD22 PCT2208
VTD: KC WD22 PCT2209
VTD: KC WD22 PCT2210
VTD: KC WD22 PCT2211
VTD: KC WD22 PCT2212
VTD: KC WD22 PCT2213
VTD: KC WD23 PCT2301
VTD: KC WD23 PCT2302
VTD: KC WD23 PCT2303
VTD: KC WD23 PCT2304
VTD: KC WD23 PCT2305
VTD: KC WD23 PCT2306
VTD: KC WD23 PCT2307
VTD: KC WD23 PCT2308
VTD: KC WD23 PCT2309
VTD: KC WD23 PCT2310
VTD: KC WD23 PCT2311
VTD: KC WD23 PCT2312
VTD: KC WD23 PCT2313
VTD: KC WD23 PCT2314
VTD: KC WD23 PCT2315
VTD: KC WD23 PCT2316

VTD: KC WD23 PCT2317
VTD: KC WD23 PCT2318
VTD: KC WD24 PCT2401
VTD: KC WD24 PCT2402
VTD: KC WD24 PCT2403
VTD: KC WD24 PCT2404
VTD: KC WD24 PCT2405
VTD: KC WD24 PCT2407 (part)
Block: 290950142032014
Block: 290950142042013
Block: 290950143002029
Block: 290950143002030
VTD: KC WD24 PCT2408 (part)
Block: 290950142042014
Block: 290950142042050
Block: 290950142043043
Block: 290950143003000
Block: 290950143003001
Block: 290950143003006
Block: 290950143003007
Block: 290950143003008
Block: 290950143003009
Block: 290950143003010
Block: 290950143003011
Block: 290950143003012
Block: 290950143003013
Block: 290950143003015
Block: 290950143003016
Block: 290950143003017
Block: 290950143003018
Block: 290950143003019
Block: 290950143003020
Block: 290950143003021
Block: 290950143003035
Block: 290950143003036
Block: 290950143003037
Block: 290950143003038
Block: 290950143003039
Block: 290950143003040
Block: 290950143003054
Block: 290950143003055
Block: 290950176004028
VTD: KC WD24 PCT2409
VTD: KC WD24 PCT2410
VTD: KC WD24 PCT2412
VTD: KC WD24 PCT2413
VTD: KC WD24 PCT2414
VTD: KC WD24 PCT2415
VTD: KC WD24 PCT2416
VTD: KC WD24 PCT2417
VTD: KC WD24 PCT2418
VTD: KC WD24 PCT2419
VTD: KC WD24 PCT2420
VTD: KC WD24 PCT2421
VTD: KC WD24 PCT2422
VTD: KC WD24 PCT2424

VTD: KC WD24 PCT2425
VTD: KC WD24 PCT2426
VTD: KC WD24 PCT2427
VTD: KC WD24 PCT2428
VTD: KC WD24 PCT2429
VTD: KC WD24 PCT2430
VTD: KC WD24 PCT2431
VTD: KC WD24 PCT2432
VTD: KC WD24 PCT2601
VTD: KC WD25 PCT2001
VTD: KC WD25 PCT2501
VTD: KC WD25 PCT2503
VTD: KC WD25 PCT2504
VTD: KC WD25 PCT2505
VTD: KC WD25 PCT2506
VTD: KC WD25 PCT2507
VTD: KC WD25 PCT2508
VTD: KC WD25 PCT2509
VTD: KC WD25 PCT2510
VTD: KC WD25 PCT2511
VTD: KC WD25 PCT2602
VTD: KC WD26 PCT1711
VTD: KC WD26 PCT1902
VTD: KC WD26 PCT2502
VTD: KC WD26 PCT2603
VTD: KC WD26 PCT2604
VTD: KC WD26 PCT2605
VTD: KC WD26 PCT2606
VTD: KC WD26 PCT2607
VTD: KC WD26 PCT2608
VTD: KC WD26 PCT2609
VTD: KC WD26 PCT2610
VTD: KC WD26 PCT2611
VTD: KC WD26 PCT2612
VTD: KC WD3 PCT301
VTD: KC WD3 PCT302
VTD: KC WD3 PCT303
VTD: KC WD3 PCT304
VTD: KC WD3 PCT305
VTD: KC WD3 PCT306
VTD: KC WD3 PCT307
VTD: KC WD3 PCT308
VTD: KC WD3 PCT309
VTD: KC WD3 PCT310
VTD: KC WD3 PCT312
VTD: KC WD3 PCT313
VTD: KC WD3 PCT716
VTD: KC WD4 PCT401
VTD: KC WD4 PCT402
VTD: KC WD4 PCT403
VTD: KC WD4 PCT404
VTD: KC WD4 PCT405
VTD: KC WD4 PCT406
VTD: KC WD4 PCT407
VTD: KC WD4 PCT408
VTD: KC WD4 PCT409

VTD: KC WD5 PCT410
VTD: KC WD5 PCT502
VTD: KC WD5 PCT503
VTD: KC WD5 PCT504
VTD: KC WD5 PCT505
VTD: KC WD5 PCT506
VTD: KC WD5 PCT507
VTD: KC WD5 PCT508
VTD: KC WD5 PCT509
VTD: KC WD5 PCT510
VTD: KC WD6 PCT501
VTD: KC WD6 PCT601
VTD: KC WD6 PCT602
VTD: KC WD6 PCT603
VTD: KC WD6 PCT604
VTD: KC WD6 PCT605
VTD: KC WD6 PCT606
VTD: KC WD6 PCT607
VTD: KC WD6 PCT608
VTD: KC WD6 PCT609
VTD: KC WD6 PCT610
VTD: KC WD6 PCT611
VTD: KC WD6 PCT612
VTD: KC WD6 PCT801
VTD: KC WD7 PCT701
VTD: KC WD7 PCT702
VTD: KC WD7 PCT703
VTD: KC WD7 PCT704
VTD: KC WD7 PCT705
VTD: KC WD7 PCT706
VTD: KC WD7 PCT707
VTD: KC WD7 PCT708
VTD: KC WD7 PCT709
VTD: KC WD7 PCT710
VTD: KC WD7 PCT711
VTD: KC WD7 PCT712
VTD: KC WD7 PCT713
VTD: KC WD7 PCT714
VTD: KC WD7 PCT715
VTD: KC WD7 PCT719
VTD: KC WD8 PCT613
VTD: KC WD8 PCT802
VTD: KC WD8 PCT803
VTD: KC WD8 PCT804
VTD: KC WD8 PCT805
VTD: KC WD8 PCT806
VTD: KC WD8 PCT807
VTD: KC WD8 PCT808
VTD: KC WD8 PCT809
VTD: KC WD8 PCT810
VTD: KC WD8 PCT811
VTD: KC WD8 PCT813
VTD: KC WD9 PCT1904
VTD: KC WD9 PCT812
VTD: KC WD9 PCT901
VTD: KC WD9 PCT902

VTD: KC WD9 PCT904
VTD: KC WD9 PCT905
VTD: KC WD9 PCT906
VTD: KC WD9 PCT907
VTD: KC WD9 PCT908
VTD: KC WD9 PCT909
VTD: KC WD9 PCT910
VTD: KC WD9 PCT911
VTD: Prairie No. 1
VTD: Prairie No. 10,11,& 12
VTD: Prairie No. 13
VTD: Prairie No. 13A
VTD: Prairie No. 14
VTD: Prairie No. 15
VTD: Prairie No. 16
VTD: Prairie No. 17
VTD: Prairie No. 18 & 19
VTD: Prairie No. 2
VTD: Prairie No. 20
VTD: Prairie No. 20A & 20B
VTD: Prairie No. 20C
VTD: Prairie No. 21
VTD: Prairie No. 22
VTD: Prairie No. 23
VTD: Prairie No. 24,24B,25A,68
VTD: Prairie No. 24A
VTD: Prairie No. 24C
VTD: Prairie No. 25
VTD: Prairie No. 3
VTD: Prairie No. 37
VTD: Prairie No. 37A
VTD: Prairie No. 38
VTD: Prairie No. 39
VTD: Prairie No. 39A
VTD: Prairie No. 4
VTD: Prairie No. 40
VTD: Prairie No. 40A & 44A (part)
Block: 290950179003002
VTD: Prairie No. 43 & 79 (part)
Block: 290950142043051
Block: 290950142043052
Block: 290950142043054
Block: 290950142043056
Block: 290950143003028
Block: 290950179003004
VTD: Prairie No. 45 (part)
Block: 290950137031000
Block: 290950137031001
Block: 290950137031002
Block: 290950137031003
Block: 290950137031004
Block: 290950137031005
Block: 290950137031006
Block: 290950137031007
Block: 290950137031008
Block: 290950137031009

Block: 290950137031010
Block: 290950137032013
Block: 290950137032017
Block: 290950137032018
Block: 290950137033006
Block: 290950137033007
Block: 290950137033012
Block: 290950137033013
Block: 290950137033014
Block: 290950137033015
Block: 290950137033016
Block: 290950137033030
Block: 290950137033031
Block: 290950137033032
Block: 290950137033033
Block: 290950137033034
Block: 290950137033035
Block: 290950137033036
Block: 290950137033037
Block: 290950137033038
Block: 290950137033047
Block: 290950137033048
Block: 290950137033051
VTD: Prairie No. 5
VTD: Prairie No. 50
VTD: Prairie No. 50A
VTD: Prairie No. 50B
VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76
VTD: Prairie No. 50D
VTD: Prairie No. 51
VTD: Prairie No. 51A
VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N
VTD: Prairie No. 52
VTD: Prairie No. 52A
VTD: Prairie No. 53
VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)
Block: 290950139011031
Block: 290950139011032
Block: 290950139011033
Block: 290950139011034
Block: 290950139011035
Block: 290950139011036
Block: 290950139011042
Block: 290950141121045
Block: 290950141121059
VTD: Prairie No. 6
VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)
Block: 290950139011044
Block: 290950139011045
Block: 290950139011065
VTD: Prairie No. 7
VTD: Prairie No. 8 & 8B
VTD: Prairie No. 8A
VTD: Prairie No. 9
VTD: Sni-A-Bar No. 1,1B,& 1C (part)
Block: 290950145022002

Block: 290950145022010
Block: 290950145022011
Block: 290950145022020
Block: 290950145022044
VTD: Sni-A-Bar No. 10 (part)
Block: 290950141011005
VTD: Sni-A-Bar No. 14,75N,& 75X (part)
Block: 290950141011003
Block: 290950141011004
Block: 290950141011006
Block: 290950141011007
Block: 290950141011008
Block: 290950141011009
Block: 290950141011010
Block: 290950141011011
Block: 290950141011012
Block: 290950141011013
Block: 290950141011014
Block: 290950141011030
Block: 290950141011032
Block: 290950141011033
Block: 290950141011034
Block: 290950141011035
VTD: Sni-A-Bar No. 14A & 75A (part)
Block: 290950141011019
Block: 290950141011027
Block: 290950141011028
Block: 290950141011029
Block: 290950141011059
Block: 290950141013000
Block: 290950141013001
Block: 290950141013002
Block: 290950141013003
Block: 290950141013009
Block: 290950141013010
Block: 290950141013013
Block: 290950141013014
Block: 290950141013015
Block: 290950141055012
Block: 290950141055013
VTD: Sni-A-Bar No. 15 & 15A
VTD: Sni-A-Bar No. 15B
VTD: Sni-A-Bar No. 16,83,& 93
VTD: Sni-A-Bar No. 22 (part)
Block: 290950141012002
Block: 290950141012003
Block: 290950141012007
Block: 290950141012008
Block: 290950141012009
Block: 290950141012010
Block: 290950141012011
Block: 290950141012012
Block: 290950141012013
Block: 290950141012014
Block: 290950141012015
Block: 290950141012016

Block: 290950141014000

Block: 290950141014001

Block: 290950141014002

Block: 290950141014004

Block: 290950141014005

Block: 290950141014006

Block: 290950141014009

Block: 290950141014010

Block: 290950141014024

Block: 290950141014025

VTD: Sni-A-Bar No. 23 (part)

Block: 290950141014035

Block: 290950141014036

Block: 290950141014037

Block: 290950141014040

Block: 290950141014041

Block: 290950141014042

Block: 290950141014043

Block: 290950141014044

Block: 290950141014045

Block: 290950141014046

Block: 290950141014050

VTD: Sni-A-Bar No. 23A

VTD: Sni-A-Bar No. 24 (part)

Block: 290950141014007

Block: 290950141014008

Block: 290950141014011

Block: 290950141014012

Block: 290950141014017

Block: 290950141014018

Block: 290950141014019

Block: 290950141014020

Block: 290950141014021

Block: 290950141014022

Block: 290950141014023

Block: 290950141014026

Block: 290950141014027

Block: 290950141014028

Block: 290950141014029

Block: 290950141014030

Block: 290950141014031

Block: 290950141014032

Block: 290950141014033

Block: 290950141014038

Block: 290950141014039

VTD: Sni-A-Bar No. 27 (part)

Block: 290950141014048

Block: 290950141014049

Block: 290950141144000

Block: 290950141144001

Block: 290950141144002

Block: 290950141144006

Block: 290950141144009

Block: 290950141144015

Block: 290950141144016

Block: 290950141144017

Block: 290950141144018
Block: 290950141144019
Block: 290950141144020
Block: 290950141144021
Block: 290950141144022
VTD: Sni-A-Bar No. 31
VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)
Block: 290950141051011
Block: 290950141051012
Block: 290950141051013
Block: 290950141051022
Block: 290950141053001
Block: 290950141053002
Block: 290950141054000
Block: 290950141054001
Block: 290950141054003
Block: 290950141054004
Block: 290950141054005
Block: 290950141054013
Block: 290950141054014
Block: 290950141054015
Block: 290950141054016
Block: 290950141054017
Block: 290950141055018
Block: 290950141055020
Block: 290950141055022
Block: 290950141055026
Block: 290950141055027
Block: 290950141055030
Block: 290950141055035
Block: 290950141055036
Block: 290950141055037
Block: 290950141055038
Block: 290950141055039
Block: 290950141055040
Block: 290950141055042
Block: 290950141055046
Block: 290950141055057
Block: 290950141055058
Block: 290950141055059
Block: 290950141055068
Block: 290950141055069
VTD: Sni-A-Bar No. 31B
VTD: Sni-A-Bar No. 32 & 78N (part)
Block: 290950141054028
VTD: Sni-A-Bar No. 35 (part)
Block: 290950141055070
VTD: Sni-A-Bar No. 36,36A,& 79A (part)
Block: 290950141111004
Block: 290950141111015
VTD: Sni-A-Bar No. 40 & 40B
VTD: Sni-A-Bar No. 40A & 41
VTD: Sni-A-Bar No. 40D & 40E
VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)
Block: 290950140021003
Block: 290950140021010

Block: 290950140021022

Block: 290950140021023

Block: 290950140071048

Block: 290950140071049

Block: 290950140071050

Block: 290950140071051

Block: 290950140071052

Block: 290950140071053

Block: 290950140071058

Block: 290950140071059

Block: 290950140071060

Block: 290950140071061

Block: 290950140071062

Block: 290950140071063

Block: 290950140071064

Block: 290950140071066

Block: 290950140071067

Block: 290950140071068

Block: 290950140071069

Block: 290950140071070

Block: 290950140071082

Block: 290950140071083

Block: 290950140071085

Block: 290950140071086

Block: 290950140071088

Block: 290950140071093

Block: 290950140071094

Block: 290950140071095

Block: 290950141011017

Block: 290950141011018

Block: 290950141011021

VTD: Sni-A-Bar No. 50 & 91 (part)

Block: 290950140042006

Block: 290950140042007

Block: 290950140042008

Block: 290950140042009

Block: 290950140042010

Block: 290950140042011

Block: 290950140042012

Block: 290950140042013

Block: 290950140042014

Block: 290950140042024

Block: 290950140042025

Block: 290950140042026

Block: 290950140042027

Block: 290950140042028

Block: 290950140042029

Block: 290950140042030

Block: 290950140042031

Block: 290950140042032

Block: 290950140042033

Block: 290950140042034

Block: 290950140042038

Block: 290950140042039

Block: 290950140042040

Block: 290950140042041

Block: 290950140042044

Block: 290950140051001

Block: 290950140051002

Block: 290950140051003

Block: 290950140051004

Block: 290950140051006

Block: 290950140051007

Block: 290950140051008

Block: 290950140051009

Block: 290950140051010

Block: 290950140051018

Block: 290950140051019

Block: 290950140051022

VTD: Sni-A-Bar No. 51,51A,& 94A

VTD: Sni-A-Bar No. 53 & 92 (part)

Block: 290950140041024

Block: 290950140041025

Block: 290950140041026

Block: 290950140041027

Block: 290950140041028

Block: 290950140041029

Block: 290950140041030

Block: 290950140041031

Block: 290950140041033

Block: 290950140041034

Block: 290950140041035

Block: 290950140041036

Block: 290950140041037

Block: 290950140041038

Block: 290950140041039

Block: 290950140042035

Block: 290950140042036

Block: 290950140042037

Block: 290950140042042

Block: 290950140042043

Block: 290950140051000

Block: 290950140052000

Block: 290950140052004

VTD: Sni-A-Bar No. 55

VTD: Sni-A-Bar No. 57

VTD: Sni-A-Bar No. 76 & 76A

VTD: Sni-A-Bar No. 77

VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)

Block: 290950141055014

Block: 290950141055021

Block: 290950141055023

Block: 290950141055024

Block: 290950141055025

Block: 290950141055028

Block: 290950141055029

Block: 290950141055041

Block: 290950141055043

Block: 290950141055044

Block: 290950141055045

Block: 290950141055047

Block: 290950141055048

Block: 290950141055049

Block: 290950141055053

Block: 290950141055054

Block: 290950141055055

Block: 290950141055056

Block: 290950141055064

Block: 290950141055066

Block: 290950141055067

Block: 290950141111000

Block: 290950141111001

Block: 290950141111002

Block: 290950141111003

Block: 290950141111005

Block: 290950141111009

Block: 290950141111010

Block: 290950141111013

Block: 290950141111014

Block: 290950141111029

Block: 290950141111051

Block: 290950141121004

Block: 290950141121005

Block: 290950141121006

Block: 290950141121010

Block: 290950141121017

VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C

VTD: Sni-A-Bar No. 94,94B,95,& 96

VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)

Block: 290950139011003

Block: 290950139011004

Block: 290950139011005

Block: 290950139011006

Block: 290950139011007

Block: 290950139011012

Block: 290950139011022

Block: 290950139011023

Block: 290950140022047

Block: 290950140022048

Block: 290950140022049

Block: 290950140022050

Block: 290950140022051

Block: 290950140022052

Block: 290950140022053

Block: 290950140022054

Block: 290950140022055

Block: 290950140022056

Block: 290950140022057

Block: 290950140022058

Block: 290950140022059

Block: 290950140022060

Block: 290950140022061

Block: 290950140022062

Block: 290950140022063

Block: 290950140022064

Block: 290950140022065

Block: 290950141121011

Block: 290950141121013

Block: 290950141121014

Block: 290950141121015

Block: 290950141121016

Block: 290950141121018

Block: 290950141121019

Block: 290950141121031

Block: 290950141121032

Block: 290950141121033

Block: 290950141121034

Block: 290950141121035

Block: 290950141121036

Block: 290950141121037

Block: 290950141121040

Block: 290950141121041

Block: 290950141121049

Block: 290950141121051

VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24

VTD: Van Buren No. 25,26,27,28,29,30,& 32

VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)

Block: 290950139011001

Block: 290950139011009

Block: 290950139011010

Block: 290950139011011

Block: 290950139011013

Block: 290950139011014

Block: 290950139011015

Block: 290950139011016

Block: 290950139011017

Block: 290950139011018

Block: 290950139011019

Block: 290950139011020

Block: 290950139011021

Block: 290950139011024

Block: 290950139011025

Block: 290950139011026

Block: 290950139011027

Block: 290950139011028

Block: 290950139011029

Block: 290950139011030

Block: 290950139011037

Block: 290950139011038

Block: 290950139011039

Block: 290950139011040

Block: 290950139011041

Block: 290950139011043

Block: 290950139011046

Block: 290950139011047

Block: 290950139011048

Block: 290950139011049

Block: 290950139011050

Block: 290950139011052

Block: 290950139011053

Block: 290950139011054

Block: 290950139011055

Block: 290950139011056

Block: 290950139011058

Block: 290950139011059
Block: 290950139011060
Block: 290950139011069
Block: 290950139011070
Block: 290950139011074
Block: 290950139011075
Block: 290950141121050
Block: 290950141121052
Block: 290950141121060
Block: 290950141121062
VTD: Van Buren No. 31 & 33
VTD: Van Buren No. 34,35,36,& 37
VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43
VTD: Van Buren No. 41 & 42
VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20
VTD: Washington No. 1
VTD: Washington No. 10 & 10N
VTD: Washington No. 11
VTD: Washington No. 12
VTD: Washington No. 13
VTD: Washington No. 14
VTD: Washington No. 15
VTD: Washington No. 16
VTD: Washington No. 17
VTD: Washington No. 2
VTD: Washington No. 3
VTD: Washington No. 4
VTD: Washington No. 5
VTD: Washington No. 6
VTD: Washington No. 7
VTD: Washington No. 8
VTD: Washington No. 9
Lafayette MO County
Ray MO County
Saline MO County"; and

Further amend said bill, Pages 127 to 159, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following:

"Adair MO County
Andrew MO County
Atchison MO County
Buchanan MO County
Caldwell MO County
Carroll MO County
Chariton MO County
Clark MO County
Clay MO County (part)
VTD: Chou 8 (part)
Block: 290470223021029
VTD: FR 1
VTD: FR 2
VTD: FR 3
VTD: FR 4
VTD: FR 5
VTD: Gal 17

VTD: KC 21 Lib 1
VTD: KC 21 Lib 2
VTD: KC 21 Lib 3
VTD: KC 21 Pl 1
VTD: KC 21-1
VTD: KC 21-12 (part)
Block: 290470212052031
Block: 290470212052032
Block: 290470212052033
Block: 290470212053000
Block: 290470212053001
Block: 290470212053002
Block: 290470212053003
Block: 290470212053004
Block: 290470212053005
Block: 290470212053006
Block: 290470212053007
Block: 290470212053008
Block: 290470212053009
Block: 290470212053010
Block: 290470212053011
Block: 290470212053012
Block: 290470212053013
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Block: 290470212053019
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VTD: KC 21-13
VTD: KC 21-15
VTD: KC 21-16 (part)
Block: 290470212052001
Block: 290470212052002
VTD: KC 21-17
VTD: KC 21-2 (part)
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Block: 290470203005010
Block: 290470203005011
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Block: 290470203005013
Block: 290470203005014
Block: 290470203005015
Block: 290470203005016

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Block: 290470203005058
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Block: 290470204002019
Block: 290470204002022
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Block: 290470221002239
Block: 290470221002240
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Block: 290470221002244
Block: 290470221002245
Block: 290470221002246
Block: 290470221002247
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Block: 290470221002249
Block: 290470221002250
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Block: 290470221002252
Block: 290470221002256
Block: 290470221002258
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Block: 290470221002264
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Block: 290470221002266
Block: 290470221002267
Block: 290470221002268
Block: 290470221002274
Block: 290470221002275
Block: 290470221002276
VTD: KC 21-26
VTD: Kry 1
VTD: Kry 2
VTD: Kry 3
VTD: Kry 4
VTD: Lib 1
VTD: Lib 10
VTD: Lib 11
VTD: Lib 12
VTD: Lib 13 (part)
Block: 290470222002035
Block: 290470222002036
Block: 290470222002147
Block: 290470223012024
Block: 290470223012025
Block: 290470223012026
Block: 290470223021006
Block: 290470223021016
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Block: 290470223021018
 Block: 290470223021019
 Block: 290470223021020
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 Block: 290470223021058
 Block: 290470223021059
 Block: 290470223021060
 Block: 290470223023050
 Block: 290470223023052
 Block: 290470223023058
 Block: 290470223023059
 VTD: Lib 14
 VTD: Lib 2
 VTD: Lib 3
 VTD: Lib 4
 VTD: Lib 5 (part)
 Block: 290470208011005
 Block: 290470208011006
 Block: 290470208011007
 Block: 290470208011038
 Block: 290470208011039
 Block: 290470208011040
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 Block: 290470208011047
 Block: 290470208011048
 Block: 290470208011049
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 Block: 290470208012003
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 Block: 290470208012019
 Block: 290470208012020
 Block: 290470208013000
 Block: 290470208013001
 Block: 290470208013002
 Block: 290470208013003
 Block: 290470208015000

Block: 290470208015001
Block: 290470208015002
Block: 290470208015003
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Block: 290470208015005
Block: 290470208015006
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Block: 290470208015019
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Block: 290470208015023
Block: 290470208015024
Block: 290470208015025
Block: 290470208015026
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Block: 290470223021010
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Block: 290470223021013
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Block: 290470223021021
Block: 290470223021022
Block: 290470223021023
Block: 290470223021027
Block: 290470223021061
Block: 290470223021062
Block: 290470223021063
VTD: Lib 6
VTD: Lib 7
VTD: Lib 8
VTD: Lib 9
VTD: Pl 1
VTD: Pl 2
VTD: Pl 3
VTD: Wash 1
VTD: Wash 2
VTD: Wash 3
Clinton MO County
Daviess MO County
DeKalb MO County
Gentry MO County
Grundy MO County
Harrison MO County

Holt MO County

Jackson MO County (part)

VTD: Blue Sub 3 No. 11 (part)

Block: 290950147021004

Block: 290950148041006

Block: 290950148041009

Block: 290950148041010

Block: 290950148041014

VTD: Blue Sub 3 No. 12 & 13

VTD: Blue Sub 8 No. 11 (part)

Block: 290950145021006

Block: 290950145021014

Block: 290950145021026

VTD: Blue Sub 8 No. 12,12A,& 12B (part)

Block: 290950145022054

Block: 290950145022055

VTD: Fort Osage No. 1,1A,2,& 3 (part)

Block: 290950147021002

Block: 290950148041000

Block: 290950148041001

Block: 290950148041002

Block: 290950148041003

Block: 290950148041004

Block: 290950148041005

Block: 290950148041007

Block: 290950148041039

Block: 290950150001071

Block: 290950150001072

Block: 290950150001076

Block: 290950150001077

Block: 290950177001000

Block: 290950177001001

Block: 290950177001002

Block: 290950177001003

Block: 290950177001004

Block: 290950177001005

Block: 290950177001006

Block: 290950177001008

Block: 290950177001009

Block: 290950177001010

Block: 290950177001011

Block: 290950177001012

Block: 290950177001013

Block: 290950177001014

Block: 290950177001015

Block: 290950177001016

Block: 290950177001017

Block: 290950177001018

Block: 290950177001019

Block: 290950177001020

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Block: 290950177001022

Block: 290950177001023

Block: 290950177001026

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Block: 290950177001028

Block: 290950177001035
Block: 290950177001036
Block: 290950177003000
Block: 290950177003001
Block: 290950177003002
Block: 290950177003003
Block: 290950177003004
Block: 290950177003005
Block: 290950177003006
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Block: 290950177003072
Block: 290950177003073
Block: 290950177003074
Block: 290950177003075
Block: 290950177003076
Block: 290950177003077
VTD: Fort Osage No. 11,12,& 15N
VTD: Fort Osage No. 16,17,17A,19,& 20
VTD: Fort Osage No. 21
VTD: Fort Osage No. 27 & 28
VTD: Fort Osage No. 4
VTD: Fort Osage No. 5 & 30
VTD: Fort Osage No. 6
VTD: Fort Osage No. 7,8,25,& 26
VTD: Fort Osage No. 9
VTD: KC WD24 PCT2406
VTD: KC WD24 PCT2407 (part)
Block: 290950142032009
Block: 290950142032013
VTD: KC WD24 PCT2408 (part)
Block: 290950142043041
Block: 290950142043042
Block: 290950142043044
VTD: KC WD24 PCT2423
VTD: Prairie No. 26,27,28,& 78
VTD: Prairie No. 29 & 30C
VTD: Prairie No. 30
VTD: Prairie No. 30A

VTD: Prairie No. 30B,82,& 82A
VTD: Prairie No. 31
VTD: Prairie No. 33
VTD: Prairie No. 34
VTD: Prairie No. 35
VTD: Prairie No. 40A & 44A (part)
Block: 290950179003000
Block: 290950179003005
Block: 290950179003006
Block: 290950185001051
Block: 290950186001019
Block: 290950186001023
Block: 290950186001025
Block: 290950186001026
Block: 290950186001027
Block: 290950186001028
Block: 290950186001033
Block: 290950186002004
Block: 290950186002005
Block: 290950186002006
Block: 290950186002014
Block: 290950186002015
Block: 290950186002016
VTD: Prairie No. 41,42,& 81
VTD: Prairie No. 43 & 79 (part)
Block: 290950142042033
Block: 290950142042034
Block: 290950142042051
Block: 290950142042052
Block: 290950142042053
Block: 290950142042054
Block: 290950142042055
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Block: 290950142042057
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Block: 290950142043030
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Block: 290950142043038
Block: 290950142043039
Block: 290950142043040
Block: 290950142043049
Block: 290950142043050
Block: 290950142043053
Block: 290950142043055
Block: 290950143003027
Block: 290950185001048
Block: 290950185001049
Block: 290950185001050
Block: 290959891001038
Block: 290959891001039
Block: 290959891001040
Block: 290959891001043
Block: 290959891001044
VTD: Prairie No. 45 (part)
Block: 290950137032016
Block: 290950137032020

VTD: Prairie No. 46,67,67A,& 67B
VTD: Prairie No. 47
VTD: Prairie No. 48
VTD: Prairie No. 49
VTD: Prairie No. 55 & 56
VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X
VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)
Block: 290950141121020
Block: 290950141121021
Block: 290950141121022
Block: 290950141121023
Block: 290950141121024
Block: 290950141121025
Block: 290950141121026
Block: 290950141121027
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Block: 290950141121030
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Block: 290950141121047
Block: 290950141121048
Block: 290950141121056
Block: 290950141121057
Block: 290950141201046
Block: 290950141201054
Block: 290950141201055
Block: 290950141201056
Block: 290950141201057
Block: 290950141201058
Block: 290950141201060
Block: 290950141201067
VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)
Block: 290950139013000
Block: 290950139013001
Block: 290950139013002
Block: 290950139013003
Block: 290950139013004
Block: 290950139013005
Block: 290950139013006
Block: 290950139013008
Block: 290950139013013
Block: 290950139013015
Block: 290950139013016
Block: 290950139013019
Block: 290950139013020
Block: 290950139013021
Block: 290950139161000
Block: 290950139161001
Block: 290950139161002
Block: 290950139161003
Block: 290950141121046
Block: 290950141121058
Block: 290950141201045
Block: 290950141201047

Block: 290950141201048
 Block: 290950141201049
 Block: 290950141201050
 Block: 290950141201053
 Block: 290950141201059
 Block: 290950141201061
 Block: 290950141201062
 Block: 290950141201063
 Block: 290950141201064
 Block: 290950141201065
 Block: 290950141201066
 Block: 290950141201068
 Block: 290950141201069
 Block: 290959891001045
 Block: 290959891001046
 Block: 290959891001047
 Block: 290959891001057
 Block: 290959891001058
 Block: 290959891001059
 Block: 290959891001060
 Block: 290959891001063
 Block: 290959891001066
 Block: 290959891001069
 VTD: Prairie No. 66 & 66F
 VTD: Prairie No. 66A,66B,66C,& 66G
 VTD: Prairie No. 66D & 66E
 VTD: Prairie No. 69
 VTD: Prairie No. 70,70A,70B,70C,& 70D
 VTD: Sni-A-Bar No. 1,1B,& 1C (part)
 Block: 290950145022007
 Block: 290950145022008
 Block: 290950145022009
 Block: 290950145022017
 Block: 290950145022018
 Block: 290950145022019
 Block: 290950145022042
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 Block: 290950145022045
 Block: 290950145022046
 Block: 290950145022047
 Block: 290950145022048
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 Block: 290950145022062
 Block: 290950145022063
 Block: 290950145022064
 Block: 290950145022065
 Block: 290950145022066
 Block: 290950145022068
 Block: 290950145022070
 Block: 290950193001005

Block: 290950193001006
Block: 290950193001007
Block: 290950193001008
VTD: Sni-A-Bar No. 10 (part)
Block: 290950149042003
Block: 290950149042004
Block: 290950149042005
Block: 290950149042006
Block: 290950149042007
Block: 290950149042008
Block: 290950149042009
Block: 290950149042010
Block: 290950149042011
Block: 290950149042012
Block: 290950149042013
Block: 290950149042014
Block: 290950149042018
Block: 290950149042019
Block: 290950149042020
Block: 290950149042021
Block: 290950149042022
VTD: Sni-A-Bar No. 11
VTD: Sni-A-Bar No. 11A
VTD: Sni-A-Bar No. 14,75N,& 75X (part)
Block: 290950149052013
Block: 290950149052014
Block: 290950149052015
Block: 290950149052016
Block: 290950149052017
VTD: Sni-A-Bar No. 14A & 75A (part)
Block: 290950141011015
VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69
VTD: Sni-A-Bar No. 18,68N,& 68X
VTD: Sni-A-Bar No. 19
VTD: Sni-A-Bar No. 1A
VTD: Sni-A-Bar No. 2 & 3A
VTD: Sni-A-Bar No. 20 & 70A
VTD: Sni-A-Bar No. 21,21B,70,& 71
VTD: Sni-A-Bar No. 22 (part)
Block: 290950141012001
Block: 290950141012004
Block: 290950141012005
Block: 290950141012006
Block: 290950141012017
Block: 290950141014003
Block: 290950141081014
Block: 290950141081018
VTD: Sni-A-Bar No. 23 (part)
Block: 290950141083003
Block: 290950141083004
Block: 290950141083005
Block: 290950141083006
Block: 290950141083007
Block: 290950141083008
Block: 290950141083009
Block: 290950141083010

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Block: 290950141083017

Block: 290950141083018

Block: 290950141083019

Block: 290950141083024

Block: 290950141083025

Block: 290950141083026

Block: 290950141083027

Block: 290950141083028

Block: 290950141083029

Block: 290950141083030

Block: 290950141083031

Block: 290950141083032

Block: 290950141083033

Block: 290950141083036

Block: 290950141083037

Block: 290950141083040

VTD: Sni-A-Bar No. 24 (part)

Block: 290950141014013

Block: 290950141014014

Block: 290950141014015

Block: 290950141014016

Block: 290950141014034

Block: 290950141014047

Block: 290950141082019

Block: 290950141082020

Block: 290950141082021

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Block: 290950141082023

Block: 290950141082024

Block: 290950141082026

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Block: 290950141082028

Block: 290950141082029

Block: 290950141082030

Block: 290950141082031

Block: 290950141082032

Block: 290950141082033

Block: 290950141082034

Block: 290950141083000

Block: 290950141083001

Block: 290950141083002

Block: 290950141083020

Block: 290950141083021

Block: 290950141083022

Block: 290950141083023

VTD: Sni-A-Bar No. 25,72A,& 72B

VTD: Sni-A-Bar No. 26 & 26N

VTD: Sni-A-Bar No. 27 (part)

Block: 290950141083039

Block: 290950141144003

Block: 290950141144004
Block: 290950141144005
Block: 290950141144007
Block: 290950141144008
Block: 290950141144010
Block: 290950141144011
Block: 290950141144012
Block: 290950141144013
Block: 290950141144014
VTD: Sni-A-Bar No. 29 & 73
VTD: Sni-A-Bar No. 3 & 3B
VTD: Sni-A-Bar No. 30
VTD: Sni-A-Bar No. 30A,30B,30C,& 30D
VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)
Block: 290950141054002
Block: 290950141054010
Block: 290950141054011
Block: 290950141054012
VTD: Sni-A-Bar No. 32 & 78N (part)
Block: 290950141052000
Block: 290950141052001
Block: 290950141052002
Block: 290950141052003
Block: 290950141052004
Block: 290950141052005
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Block: 290950141053024
Block: 290950141054019
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Block: 290950141054021
Block: 290950141054022
Block: 290950141054023
Block: 290950141054024
Block: 290950141054025

Block: 290950141054026

Block: 290950141054027

VTD: Sni-A-Bar No. 33

VTD: Sni-A-Bar No. 34,34A,& 74

VTD: Sni-A-Bar No. 35 (part)

Block: 290950141052026

Block: 290950141052027

Block: 290950141052029

Block: 290950141052031

Block: 290950141052032

Block: 290950141052033

Block: 290950141052034

Block: 290950141111017

Block: 290950141111018

Block: 290950141111019

Block: 290950141111020

Block: 290950141111024

Block: 290950141111025

Block: 290950141111026

Block: 290950141111028

Block: 290950141111047

Block: 290950141111048

VTD: Sni-A-Bar No. 35A

VTD: Sni-A-Bar No. 36,36A,& 79A (part)

Block: 290950141111012

Block: 290950141111016

Block: 290950141111049

Block: 290950141111050

VTD: Sni-A-Bar No. 37,38,& 39

VTD: Sni-A-Bar No. 4 & 4N

VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C4 (part)

Block: 290950140071002

Block: 290950140071003

Block: 290950140071004

Block: 290950140071005

Block: 290950140071006

Block: 290950140071011

Block: 290950140071012

Block: 290950140071013

Block: 290950140071014

Block: 290950140071018

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Block: 290950140071030

Block: 290950140071031

Block: 290950140071032

Block: 290950140071038

Block: 290950140071041

Block: 290950140071044

Block: 290950140071045

Block: 290950140071046

Block: 290950140071047

Block: 290950140071054

Block: 290950140071055
Block: 290950140071056
Block: 290950140071057
Block: 290950140071080
Block: 290950140071081
Block: 290950140071096
Block: 290950140071097
Block: 290950149032075
Block: 290950149032076
Block: 290950149032077
Block: 290950149032106
Block: 290950149032135
VTD: Sni-A-Bar No. 49
VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X
VTD: Sni-A-Bar No. 5 & 5N
VTD: Sni-A-Bar No. 50 & 91 (part)
Block: 290950140042000
Block: 290950140042001
VTD: Sni-A-Bar No. 52 & 52A
VTD: Sni-A-Bar No. 53 & 92 (part)
Block: 290950140041022
VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97
VTD: Sni-A-Bar No. 6 & 6B
VTD: Sni-A-Bar No. 65,65N,& 65X
VTD: Sni-A-Bar No. 68 & 68Z
VTD: Sni-A-Bar No. 6A & 66
VTD: Sni-A-Bar No. 6C,6D,6E,& 6F
VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)
Block: 290950141111006
Block: 290950141111011
VTD: Sni-A-Bar No. 8
VTD: Sni-A-Bar No. 80
VTD: Sni-A-Bar No. 81B
VTD: Sni-A-Bar No. 82,82A,82N,& 82X
VTD: Sni-A-Bar No. 89
VTD: Sni-A-Bar No. 9
VTD: Sni-A-Bar No. 90,90A,90B,& 90N
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)
Block: 290950141121038
Block: 290950141121039
Block: 290950141121053
Block: 290950141121054
Block: 290950141121055
VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)
Block: 290950139013007
Block: 290950139013009
Block: 290950139013010
Block: 290950139013011
Block: 290950139013012
Block: 290950139013014
Block: 290950139013017
Block: 290950139013018
Block: 290950139013022
Knox MO County
Lewis MO County

Linn MO County
Livingston MO County
Macon MO County
Marion MO County
Mercer MO County
Monroe MO County
Nodaway MO County
Pike MO County
Platte MO County
Putnam MO County
Ralls MO County
Randolph MO County (part)
VTD: Cairo
VTD: Clifton Hill
VTD: Darksville
VTD: Huntsville
VTD: Jacksonville
VTD: Levicks Mill
VTD: Mt. Airy (part)
Block: 291754902001169
Block: 291754902001170
Block: 291754902001172
Block: 291754902001173
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Block: 291754902002080
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Block: 291754906002053
Block: 291754906002058
Block: 291754906002059
Block: 291754906002060
Block: 291754906002062
Block: 291754906002194
VTD: North Sugar Creek (part)
Block: 291754901003147
Block: 291754901003152
Block: 291754901003153
Block: 291754901003154
Block: 291754901003155
Block: 291754901003159
Block: 291754901003160
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Block: 291754901003162
Block: 291754901003163
Block: 291754901003180
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Block: 291754902002013
Block: 291754902002014
Block: 291754902002015

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Block: 291754902002031
Block: 291754902002032
Block: 291754902002033
Block: 291754902002095
Block: 291754902002096
Block: 291754902002099
VTD: Salt Springs (part)
Block: 291754902001115
Block: 291754902001116
Block: 291754902001123
Block: 291754902001124
Block: 291754902001125
Block: 291754902001130
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Block: 291754906002001

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Block: 291754906002007

Block: 291754906002012

Block: 291754906002025

Block: 291754906002050

Block: 291754906002051

Block: 291754906002052

Block: 291754906002204

Block: 291754906002205

Block: 291754906002218

Block: 291754906002219

VTD: South Sugar Creek (part)

Block: 291754902002028

Block: 291754902002042

Block: 291754902002100

VTD: Thomas Hill

VTD: Union (part)

Block: 291754901002002

Block: 291754901002003

Block: 291754901002004

Block: 291754901002005

Block: 291754901002006

Block: 291754901002007

Block: 291754901002008

Block: 291754901002009

Block: 291754901002010

Block: 291754901002011

Block: 291754901002012

Block: 291754901002015

Block: 291754901002016

Block: 291754901002017

Block: 291754901002018

Block: 291754901002019

Block: 291754901002020

Block: 291754901002021

Block: 291754901002022

Block: 291754901002023

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Block: 291754901002099
Block: 291754901002162
Block: 291754901003063
Block: 291754901003064
Block: 291754901003065
Block: 291754901003066
Block: 291754901003178
Block: 291754901003179
Block: 291754901003182
Block: 291754901003195
Schuyler MO County
Scotland MO County
Shelby MO County
Sullivan MO County
Worth MO County"; and

Further amend said bill, Pages 159 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following:

"Barry MO County
Christian MO County
Douglas MO County
Greene MO County
Jasper MO County
Lawrence MO County
McDonald MO County
Newton MO County
Ozark MO County

Polk MO County (part)

VTD: East Looney

VTD: Jackson

VTD: Northeast Marion (part)

Block: 291679601005070

Block: 291679601005102

Block: 291679601005103

Block: 291679601006013

Block: 291679601006014

Block: 291679601006015

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VTD: Northwest Marion (part)
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 VTD: Southeast Marion (part)
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VTD: Southwest Marion
VTD: Union
VTD: West Looney
VTD: Wishart
Stone MO County
Taney MO County"; and

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 205, by deleting all of said lines and inserting in lieu thereof the following:

"Bollinger MO County
Butler MO County
Cape Girardeau MO County
Carter MO County
Crawford MO County
Dent MO County
Dunklin MO County
Franklin MO County (part)
VTD: BEAUFORT/ UNION
VTD: DRY BRANCH
VTD: DUEMLER
VTD: ELMONT
VTD: GERALD OUT OF TOWN
VTD: GERALD WARD 1
VTD: GERALD WARD 2
VTD: JAPAN
VTD: JEFFRIESBURG
VTD: LESLIE OUT OF TOWN
VTD: LESLIE VILLAGE
VTD: LUEBBERING
VTD: MIRAMIGUOA VILLAGE
VTD: OAK GROVE VILLAGE
VTD: PARKWAY VILLAGE
VTD: PEA RIDGE
VTD: PRAIRIE DELL (part)
Block: 290718005005064
Block: 290718005005066
Block: 290718006023089
Block: 290718006023090
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Block: 290718006023092
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Block: 290718008002067
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Block: 290718009024016
Block: 290718009024017
Block: 290718009024177
Block: 290718009024178
Block: 290718009024179
Block: 290718009024188
VTD: SPRING BLUFF
VTD: ST CLAIR OUT OF TOWN
VTD: ST CLAIR WARD 1
VTD: ST CLAIR WARD 2
VTD: STANTON
VTD: SULLIVAN OUT OF TOWN
VTD: SULLIVAN WARD 1
VTD: SULLIVAN WARD 2
VTD: SULLIVAN WARD 3
VTD: UNION OUT OF TOWN (part)
Block: 290718005005055
Block: 290718005005056
Block: 290718005005057
Block: 290718005005062
Block: 290718005005063
Block: 290718005005065
Block: 290718005005067
Block: 290718005005068
Howell MO County
Iron MO County
Jefferson MO County (part)
VTD: Airport No. 1
VTD: Airport No. 2
VTD: Athena
VTD: Crystal City
VTD: DeSoto
VTD: Festus
VTD: Festus Outside
VTD: Fletcher
VTD: Goldman No. 2
VTD: Hematite
VTD: Herculaneum
VTD: Hillsboro 1-2
VTD: Hillsboro P-1 (part)
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VTD: Hillsboro P-2
VTD: Horine
VTD: Jefferson R7-1
VTD: Jefferson R7-2
VTD: Lake Tishomingo (part)
Block: 290997005023037
Block: 290997005023046
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VTD: Mapaville (part)
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VTD: Oakvale
VTD: Olympian Village
VTD: Pevely
VTD: Pevely Outside No. 1
VTD: Pevely Outside No. 2
VTD: Plattin
VTD: Riverview
VTD: Rush Tower
VTD: Sunrise
VTD: Valle No. 1
VTD: Valle No. 2
VTD: Victoria
VTD: Vineland No. 1
VTD: Vineland No. 2
VTD: Ware (part)
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Madison MO County
Mississippi MO County
New Madrid MO County
Oregon MO County
Pemiscot MO County
Perry MO County
Phelps MO County
Reynolds MO County
Ripley MO County
Scott MO County
Shannon MO County
St. Francois MO County
Ste. Genevieve MO County
Stoddard MO County
Texas MO County
Washington MO County
Wayne MO County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS SCS SB 68, as amended**, was adopted.

On motion of Representative Diehl, **HCS SCS SB 68, as amended**, was read the third time and passed by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Day
Diehl	Dugger	Elmer	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst

Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 047

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curtman
Dieckhaus	Fallert	Grisamore	Harris	Hinson
Hodges	Hummel	Kander	Keeney	Kelly 24
Kirkton	Korman	Kratky	Lampe	Lasater
May	McDonald	McManus	Meadows	Montecillo
Oxford	Pierson	Quinn	Rizzo	Schatz
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Denison	Ellinger	Entlicher	Frederick
Holsman	Hughes	Jones 63	McCaherty	McCann Beatty
McGeoghegan	McNeil	Newman	Nichols	Pace
Peters-Baker	Sater	Schneider	Stream	Swearingen
Talboy	Wieland			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 024

Burlison	Day	Fitzwater	Franklin	Franz
Funderburk	Hoskins	Hubbard	Kelley 126	Klippenstein
Korman	Lair	Largent	Leach	McGhee
Nasheed	Parkinson	Pollock	Schoeller	Wallingford
Wells	Wright	Wyatt	Mr Speaker	

NOES: 113

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Fallert	Fisher	Flanigan
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hough	Houghton	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelly 24
Kirkton	Koenig	Kratky	Lampe	Lant
Lasater	Lauer	Leara	Lichtenegger	Loehner

1595 *Journal of the House*

Long	Marshall	May	McDonald	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Neth	Nolte	Oxford	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Swinger	Taylor
Thomson	Torpey	Walton Gray	Webb	Webber
Weter	White	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 023

Brown 50	Denison	Ellinger	Entlicher	Fraker
Frederick	Holsman	Hughes	Jones 63	McCaherty
McCann Beatty	McGeoghegan	McNeil	Newman	Nichols
Pace	Peters-Baker	Sater	Schneider	Stream
Swearingen	Talboy	Wieland		

VACANCIES: 003

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 354**, **HCS HB 557**, **HB 749** and **HB 795** were read at length and, there being no objection, were signed by the Speaker Pro Tem to the end that the same may become law.

Speaker Tilley resumed the Chair.

All other business of the House was suspended while **HCS HB 1**, **SS SCS HCS HB 14**, **HB 15** and **HB 182** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 41

WHEREAS, the sport of trapshooting is one of the three major forms of competitive clay pigeon shooting and is growing in popularity throughout the United States and Missouri; and

WHEREAS, the trapshooting games were originally meant for the hunters to develop their skills, but these shooting games have obtained international recognition and are encouraged by sports associations; and

WHEREAS, trapshooting is a sport where flying clay targets are fired at with a shot gun. Trapshooting is considered to be an exciting and challenging sport where many people, young and old, compete in trapshooting events; and

WHEREAS, trapshooting has been a sport since at least 1793 when it used real birds, usually the Passenger Pigeon, which was extremely abundant at the time. Fake birds were introduced around the time of the American Civil War as the Passenger Pigeon was nearing extinction. Clay targets were introduced in the 1880's; and

WHEREAS, Olympic trap is one of the International Shooting Sport Federation (ISSF) shooting events, introduced to the Olympic program in 1900. The current version of the sport was introduced in 1950; and

WHEREAS, the Amateur Trapshooting Association (ATA) is the primary governing body of American trapshooting and has launched a major initiative to attract more youth shooters; and

WHEREAS, a great deal of coordination and discipline is needed for trapshooting. Trapshooting sports test a player's skill in marksmanship and strategy and improve confidence of youth who may not possess the physical attributes to compete in other competitive sports offered at their schools; and

WHEREAS, the goal of any program of youth trapshooting should be to provide instruction and promote gun safety, personal responsibility, and sportsmanship among primary and secondary students; and

WHEREAS, the ATA and many state organizations also award scholarships to college-bound trapshooters based on citizenship, scholarship, and need. Many youth trapshooters are now attending college with the help of those scholarships; and

WHEREAS, our youth should have the opportunity and be encouraged to participate in this extracurricular activity in the same manner as other youth extracurricular activities, such as football, baseball, softball, basketball, track, scouting, or band; and

WHEREAS, the boards of education of every Missouri school district is encouraged to promote and include trapshooting as a high school sport:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby encourage the school boards of every school district in the State of Missouri, in conjunction with the Missouri Youth Sport Shooting Alliance, to voluntarily promote and include trapshooting as a high school sport for the youth of our state; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Commissioner of Education Chris L. Nicastro, the Missouri Youth Sport Shooting Alliance, and each school district in Missouri.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 720**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following member's presence was noted: Holsman.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 2:00 p.m., Tuesday, April 26, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 6.

Executive session will be held: SCS SB 356

Executive session may be held on any matter referred to the committee.

We will also have a presentation by Farm Credit Services.

CHILDREN AND FAMILIES

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 771

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 26, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 3.

Executive session will be held: HCS HBs 600, 337 & 413, HCS HB 579, HCS HB 366

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

GENERAL LAWS

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 300

Executive session will be held: SCS SB 300

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 27, 2011, House Hearing Room 6 upon morning recess.

Public hearing will be held: SS SB 118, HB 821

Executive session will be held: SS SCS SB 65, SCS SB 177, HR 1826

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, April 27, 2011, 9:45 AM Bingham Gallery.

Executive session may be held on any matter referred to the committee.

I. Election of chair and vice chair

II. Other business coming before the committee

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2nd Quarter Meeting

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings

License plates

Director of MoDOT Kevin Keith

JUDICIARY

Wednesday, April 27, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SB 237, SS SCS SB 351

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: SS SB 360

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, April 27, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 968

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 349, SS SB 202

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 26, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka
- 4 HCS HJR 16 - Dugger
- 5 HJR 27 - Brattin

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 17 - Silvey
- 2 HCS HB 18 - Silvey
- 3 HCS HB 21 - Silvey
- 4 HCS HB 22 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells
- 17 HCS HB 212 - Thomson
- 18 HCS HB 552 - Molendorp
- 19 HCS HB 597 - Pollock
- 20 HCS HB 613 - Holsman
- 21 HB 686 - Richardson
- 22 HCS HB 688 - Pollock
- 23 HCS HB 716 - Wyatt
- 24 HCS HB 732 - Brandom
- 25 HB 741 - Bernskoetter
- 26 HCS HB 811 - Talboy
- 27 HCS HB 893 - Richardson
- 28 HB 924 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore

- 3 HCS HB 664 - Leara
- 4 HCS HB 473 - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 32, (4-13-11, Pages 1267-1268) - Bernskoetter
- 2 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 3 HCR 46, (4-14-11, Pages 1293-1294) - Nolte

SENATE BILLS FOR THIRD READING

HCS SB 161 - Guernsey

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

BILLS IN CONFERENCE

SS HCS HB 193 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FIRST DAY, TUESDAY, APRIL 26, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Rodney Schad.

Be very careful, then, how you live, not as unwise but as wise, making the most of every opportunity because the days are evil. Therefore, do not be foolish but understand what the Lord's will is. (Ephesians 5:15)

Let's pray. Our Father in Heaven, You have placed us here not as important people but as people with important work to do. We need Your guidance today to stay focused on the work laid out before us. As we enter into the last weeks of this session, we ask, Father, that You be with us so that we will be careful in the way we live, in the way we interact with each other and in the way we deal with the pressures that may come our way. Guard us against any and all deception as we strive to do what You desire for Your people. Give us insight so that we may make the best of every opportunity that presents itself.

As we press on toward the end of session, we need Your wisdom to finalize the details of so many unresolved issues. Let our conversations be wholesome and beneficial to those who may hear us. Help us to be kind and compassionate and to put aside all anger and bitterness. We are reminded at this hour that many in our state are hurting and distraught from the impacts of the weather. Please bring them strength and comfort in the days ahead.

We thank You now for being our strength, our comforter, our provider, our counselor and our God. We pray in the name of Your son, Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Winkeler and Olivia Holley.

The Journal of the sixtieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2562 through House Resolution No. 2672

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 366** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 579** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 600, 337 & 413** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 562, relating to children's services, was taken up by Representative Grisamore.

Representative Smith (150) assumed the Chair.

On motion of Representative Grisamore, **HCS HB 562** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Diehl	Hampton	Hughes	Keeney
McGhee	Molendorp	Richardson	Ruzicka	Webb

VACANCIES: 003

Representative Smith (150) declared the bill passed.

HCS HB 664, relating to firefighter benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 664** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

1604 *Journal of the House*

ABSENT WITH LEAVE: 007

Hampton	Hughes	Keeney	McGhee	Richardson
Ruzicka	Webb			

VACANCIES: 003

Representative Smith (150) declared the bill passed.

HCS HB 579, relating to health care, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 579** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Hampton	Hughes	Keeney	Leara	Pollock
Richardson	Ruzicka	Webb	Wells	

VACANCIES: 003

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Guernsey	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 004

Gatschenberger	Kirkton	Schupp	Still
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PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Grisamore	Hampton	Hughes	Keeney
Leara	Parkinson	Phillips	Pollock	Richardson
Ruzicka	Webb	Wells	Mr Speaker	

VACANCIES: 003

HCS HB 366, relating to economic development, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 366** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Lichtenegger	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Peters-Baker	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 008

Bahr	Brattin	Dugger	Koenig	Lasater
Leach	Marshall	May		

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Carter	Dieckhaus	Hampton	Hughes	Kander
Keeney	Leara	Loehner	Parkinson	Phillips
Richardson	Ruzicka	Shumake	Stream	Webb

VACANCIES: 003

Representative Smith (150) declared the bill passed.

HCS HBs 600, 337 & 413, relating to public safety, was taken up by Representative Schad.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Schad, **HCS HBs 600, 337 & 413** was read the third time and passed by the following vote:

AYES: 103

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Cross	Denison	Dieckhaus	Diehl	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Harris	Higdon	Hinson
Hodges	Holsman	Hough	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Klippenstein	Kratky	Lair	Lampe
Lant	Largent	Lauer	Loehner	Long
Marshall	McCaherty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Nance
Nasheed	Neth	Newman	Nolte	Peters-Baker
Phillips	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Smith 71	Solon	Still	Stream
Swinger	Thomson	Torpey	Webber	Weter
White	Wright	Zerr		

NOES: 044

Anders	Asbury	Brattin	Burlison	Colona
Crawford	Curtman	Davis	Dugger	Ellinger
Entlicher	Haefner	Hoskins	Houghton	Hubbard
Kirkton	Koenig	Korman	Lasater	Leach
Lichtenegger	May	McCann Beatty	McGeoghegan	Montecillo
Nichols	Oxford	Pace	Pierson	Pollock
Scharnhorst	Schoeller	Schupp	Silvey	Smith 150
Spreng	Swearingen	Talboy	Taylor	Wallingford
Walton Gray	Wells	Wieland	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Day	Franz	Funderburk	Hampton
Hughes	Keeney	Leara	Parkinson	Richardson
Ruzicka	Webb	Mr Speaker		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 161, relating to transient guest taxes, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 161** was read the third time and passed by the following vote:

AYES: 127

Anders	Atkins	Aull	Barnes	Bernskoetter
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Loehner	Long
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Mr Speaker			

NOES: 024

Allen	Asbury	Bahr	Berry	Burlison
Conway 14	Dugger	Flanigan	Haefner	Johnson
Lasater	Leach	Lichtenegger	Marshall	McCaherty
Nasheed	Parkinson	Schieber	Schneider	Smith 71
Smith 150	Spreng	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Hampton	Holsman	Hughes	Keeney
Leara	Richardson	Ruzicka	Webb	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 523, relating to certain insurance products, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 523** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Day	Denison	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 008

Asbury	Curtman	Davis	Dugger	Houghton
Koenig	Marshall	McCaherty		

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 012

Dieckhaus	Funderburk	Hampton	Holsman	Hughes
Keeney	Leara	Parkinson	Richardson	Ruzicka
Webb	Wells			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 2, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 2** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 3, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 3** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 4, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 4** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 5, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 5** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 6, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 6** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 7, as amended, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 7, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 8, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 8** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 9, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 9** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 10, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 10** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 11, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 11** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Sifton made a substitute motion that the House refuse to adopt **SCS HCS HB 11** and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the House conferees be bound to the House position on **HCS HB 11**, Page 18, Lines 28-31.

Which motion was defeated by the following vote:

AYES: 032

Aull	Carlson	Carter	Colona	Hodges
Holsman	Hummel	Jones 63	Kratky	May
McCann Beatty	McGeoghegan	McManus	McNeil	Newman
Nichols	Pace	Peters-Baker	Pierson	Quinn
Schieffer	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

NOES: 116

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis

1612 *Journal of the House*

Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Cross	Hampton	Hughes	Kander	Keeney
McDonald	McNary	Nolte	Pollock	Richardson
Ruzicka	Webb			

VACANCIES: 003

Representative Silvey again moved that the House refuse to adopt **SCS HCS HB 11** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 12, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 13, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 13** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 17, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 17** was adopted.

On motion of Representative Silvey, **HCS HB 17** was ordered perfected and printed.

HCS HB 18, relating to appropriations, was taken up by Representative Silvey.

Representative Stream offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 18, Page 4, Section 18.045, Line 4, by deleting “including.”; and

Further amend said bill, said page, said section, Line 5 through and including Line 6, by deleting said lines in their entirety; and

Further amend said bill, said page, said section, Line 4, by inserting immediately after the word “Fund,” the following:

“for infrastructure improvements and preliminary engineering and environmental impact evaluations in preparation of infrastructure improvements on the existing rail corridor between St. Louis and Kansas City, including the following projects: second rail bridge over the Osage River (\$22,640,000), Webster universal crossover (\$3,520,000), crossing improvements projects (\$1,920,000), Bonnot’s Mill universal crossover (\$5,611,000), Hermann universal crossover (\$4,570,000), Knob Noster passing siding extension (\$10,235,000), Kingsville siding (\$12,558,000), Strasburg grade separation (\$5,850,000), double track Lee’s Summit to Pleasant Hill (\$49,818,000), three new train sets (\$107,500,000), Merchants Bridge replacement in St. Louis (\$90,000,000), new track from North Market Street to Biddle Street in St. Louis (\$4,800,000), Independence Street Bridge replacement in Kansas City (\$15,400,000), third mainline in Jefferson City (\$8,600,000), new Jefferson City station (\$11,000,000), double track Pleasant Hill to Jefferson City (\$10,000,000).”; and

Further amend said bill, said page, said section, Line 12, by deleting “33,322,000” and inserting “364,022,000.”.

Representative Stream moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Silvey, **HCS HB 18** was adopted.

On motion of Representative Silvey, **HCS HB 18** was ordered perfected and printed.

HCS HB 21, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 21** was adopted.

On motion of Representative Silvey, **HCS HB 21** was ordered perfected and printed.

HCS HB 22, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 22** was adopted.

On motion of Representative Silvey, **HCS HB 22** was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTIONS

HJR 27, relating to the right to bear arms, was taken up by Representative Brattin.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Anders	Day	Diehl	Hampton	Holsman
Long	Meadows	Nasheed	Oxford	Richardson
Ruzicka	Scharnhorst	Schupp	Webb	

VACANCIES: 003

On motion of Representative Brattin, **HJR 27** was ordered perfected and printed.

HCS HJR 16, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HJR 16** was adopted.

On motion of Representative Dugger, **HCS HJR 16** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 229**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 270**, entitled:

An act to repeal sections 103.080 and 103.089, RSMo, and to enact in lieu thereof two new sections relating to the state employee health insurance program.

With Senate Amendment No. 1.

SENATE AMENDMENT NO. 1

AMEND Senate Committee Substitute for House Bill No. 270, Page 2, Section 103.089, Line 28-30, by striking said lines and inserting in lieu thereof the following:

"section shall have monthly subscriber premiums that are materially lower than non-high deductible health plan monthly subscriber premiums with a goal of monthly subscriber premiums being at least fifty percent lower than non-high deductible health plan premiums. The amount of the annual deductible"; and

Further amend Line 32, by striking "one hundred and twenty-five" and inserting in lieu thereof the following:

"two hundred"; and

Further amend Lines 35 to 38, by striking said lines; and

Further amend Line 41, by striking "to" and inserting in lieu thereof the following:

"or better than"; and

Further amend Line 41, by inserting immediately before "coverage" the following:

"average"; and

Further amend Line 41, by striking "plan" and inserting in lieu thereof the following:

"**plans.**"; and

Further amend Line 42, by striking said line.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 5** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 8** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 12** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 13** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Speaker Tilley assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 2: Representatives Silvey, Stream, Flanigan, Lampe and Nasheed
SCS HCS HB 3: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 4: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 5: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 6: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 7: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 8: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 9: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 10: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 11: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 12: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SCS HCS HB 13: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)

Speaker Pro Tem Schoeller resumed the Chair.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 11 - Tourism and Natural Resources

REFERRAL OF SENATE JOINT RESOLUTIONS

The following Senate Joint Resolutions were referred to the Committee indicated:

HCS#2 SJR 2 - Fiscal Review (Fiscal Note)

SJR 10 - Downsizing State Government

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 3 - Fiscal Review (Fiscal Note)
HCS SB 207 - Fiscal Review (Fiscal Note)
SS SB 9 - Elections
SCS SBs 26 & 106 - Transportation
SB 36 - Crime Prevention and Public Safety
SB 48 - Utilities
SS SCS SB 132 - Financial Institutions
SCS SB 213 - Judiciary
SCS SB 230 - Tourism and Natural Resources
SS SB 238 - Crime Prevention and Public Safety
SB 241 - Ways and Means
SS SCS SB 254 - Crime Prevention and Public Safety
SB 268 - Higher Education
SCS SB 270 - Elections
SS SB 286 - Crime Prevention and Public Safety
SS#2 SCS SB 320 - Crime Prevention and Public Safety
SCS SB 323 - Downsizing State Government
SCS SB 337 - Agriculture Policy
SCS SB 340 - Professional Registration and Licensing
SCS SB 387 - Crime Prevention and Public Safety
SCS SBs 394 & 331 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 356**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SB 202**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 504, 505 & 874**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 658** begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 889**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 889**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Keeney.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 27, 2011.

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 771

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 27, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 440, HB 203

Executive session may be held on any matter referred to the committee.

HB 927 will not be heard.

AMENDED

ECONOMIC DEVELOPMENT

Wednesday, April 27, 2011, South Gallery upon evening adjournment.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, April 27, 2011, House Hearing Room 6 upon afternoon adjournment.

Public hearing will be held: SS SCS SB 132, HB 822, HB 279

Executive session may be held on any matter referred to the committee.

AMENDED

FISCAL REVIEW

Thursday, April 28, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee

HEALTH CARE POLICY

Wednesday, April 27, 2011, House Hearing Room 6 upon morning recess.

Public hearing will be held: SS SB 118, HB 821

Executive session will be held: SS SCS SB 65, SCS SB 177, HR 1826

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, April 27, 2011, 1:30 PM House Hearing Room 7.

Executive session will be held: SB 90, HB 547

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 27, 2011, 12:30 PM House Hearing Room 2.

Lunch

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, April 27, 2011, 9:45 AM Bingham Gallery.

Executive session may be held on any matter referred to the committee.

I. Election of chair and vice chair.

II. Other business coming before the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2nd Quarter Meeting

JUDICIARY

Wednesday, April 27, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SB 237, SS SCS SB 351

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 27, 2011, House Hearing Room 5 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 27, 2011, House Hearing Room 5,
12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: SB 325

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 27, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, April 27, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session will be held: HCR 28, HCR 41, HCR 48, HCS HB 707, HCS HB 999,
HCS SCS SB 57, SB 83, HCS#2 SB 96, HCS SB 145, SB 165

Executive session may be held on any matter referred to the committee.

HCS SB 59 will be heard in Executive session.

RURAL COMMUNITY DEVELOPMENT

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: SS SB 360

Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, April 27, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 968

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 27, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox

- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells
- 17 HCS HB 212 - Thomson
- 18 HCS HB 552 - Molendorp
- 19 HCS HB 597 - Pollock
- 20 HCS HB 613 - Holsman
- 21 HB 686 - Richardson
- 22 HCS HB 688 - Pollock
- 23 HCS HB 716 - Wyatt
- 24 HCS HB 732 - Brandom
- 25 HB 741 - Bernskoetter
- 26 HCS HB 811 - Talboy
- 27 HCS HB 893 - Richardson
- 28 HB 924 - Nolte
- 29 HCS HBs 504, 505 & 874 - Kelly (24)
- 30 HB 658 - Schatz

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 473 - Jones (63)
- 3 HB 466 - Schoeller

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 32, (4-13-11, Pages 1267-1268) - Bernskoetter
- 2 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 3 HCR 46, (4-14-11, Pages 1293-1294) - Nolte

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 SJR 2, (Fiscal Review 4-26-11) - Cox

SENATE BILLS FOR THIRD READING

- 1 HCS SB 161 - Guernsey
- 2 HCS#2 SB 3, (Fiscal Review 4-26-11) - Diehl
- 3 HCS SS#2 SCS SB 8 - Fisher
- 4 SS SB 55 - Day
- 5 HCS SS SCS SB 58 - Denison
- 6 SB 101 - Cauthorn
- 7 HCS SS SB 135, E.C. - Jones (89)
- 8 HCS SCS SB 163 - Thomson
- 9 HCS SB 173 - Long
- 10 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 11 HCS SCS SB 219 - Wells
- 12 HCS SB 220 - Diehl
- 13 HCS SB 282 - Dugger
- 14 SS SB 306 - Wells
- 15 HCS SCS SB 366 - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HB 270, as amended - Burlison

BILLS IN CONFERENCE

- 1 SS HCS HB 193 - Diehl
- 2 SCS HCS HB 2 - Silvey
- 3 SCS HCS HB 3 - Silvey
- 4 SCS HCS HB 4 - Silvey
- 5 SCS HCS HB 5 - Silvey
- 6 SCS HCS HB 6 - Silvey
- 7 SCS HCS HB 7, as amended - Silvey
- 8 SCS HCS HB 8 - Silvey
- 9 SCS HCS HB 9 - Silvey
- 10 SCS HCS HB 10 - Silvey
- 11 SCS HCS HB 11 - Silvey
- 12 SCS HCS HB 12 - Silvey
- 13 SCS HCS HB 13 - Silvey

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SECOND DAY, WEDNESDAY, APRIL 27, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Walter Simpson, First Christian Church (Disciples of Christ), Eldon, Missouri.

Almighty God, Creator and Sustainer of all the earth, humbly we pause to lift our thoughts to You. We offer our praise and thanks for Your ever-present mercy and love which You have so generously bestowed upon us.

Today we seek Your guidance and direction. Grant Your wisdom upon these who have been chosen to have oversight and care of the life of our state. As they struggle with the difficult decisions that face them, may they do so with compassion and patience. Give them a spirit of cooperation. Keep them safe.

Hear our prayers we offer to You in a spirit of devotion and trust. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Matthew Jared.

The Journal of the sixty-first day was approved as printed.

SPECIAL RECOGNITION

Bill Schroeder, Lowell Carpenter and Bill Dudley were introduced by Representative Fraker and presented with a resolution for their many years of service with Webster Electric Co-op.

Speaker Pro Tem Schoeller assumed the Chair.

The Climax Springs Cougar High School Basketball Team was introduced by Representative Franklin and recognized for attaining First Place in the Class I District Championship.

HOUSE RESOLUTION

Representative Frederick offered House Resolution No. 2790.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2673 through House Resolution No. 2789

THIRD READING OF HOUSE BILL

HCS HB 473, relating to charter schools, was taken up by Representative Jones (63).

Representative Keeney assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Colona	Diehl	Hampton	Holsman
Riddle	Ruzicka			

VACANCIES: 003

On motion of Representative Jones (63), **HCS HB 473** was read the third time and passed by the following vote:

AYES: 086

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Cierpiot	Conway 14
Cookson	Cox	Crawford	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Higdon
Hinson	Holsman	Hough	Hubbard	Hughes
Jones 63	Jones 89	Jones 117	Keeney	Koenig
Lair	Lasater	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McGhee	McNary
Nance	Nasheed	Neth	Nolte	Parkinson
Pollock	Redmon	Richardson	Riddle	Rowland
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Talboy	Taylor	Thomson	Torpey
Wallingford	Weter	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 070

Anders	Asbury	Aull	Black	Casey
Cauthorn	Conway 27	Cross	Davis	Ellinger
Elmer	Fallert	Fisher	Flanigan	Franklin
Grisamore	Haefner	Harris	Hodges	Hoskins
Houghton	Hummel	Johnson	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lampe	Lant	Largent	Lauer	Loehner
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Reiboldt	Rizzo	Schatz
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Walton Gray
Webb	Webber	Wells	White	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Atkins	Colona	Hampton	Ruzicka
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VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE CONCURRENT RESOLUTIONS

HCR 32, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HCR 32** was adopted.

HCR 46, relating to FUTURALLIA, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCR 46** was adopted.

Speaker Tilley resumed the Chair.

THIRD READING OF SENATE BILL

HCS SB 161, relating to agriculture, was taken up by Representative Guernsey.

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 161, Page 1, In the Title, Line 3, by inserting after the number "268.121," the numbers "273.327, 273.345,"; and

Further amend said bill, Page 1, In the Title, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following:

"for senate bill no. 718, ninety-fourth general assembly, second regular session, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, and to enact in lieu thereof nineteen new sections relating to agriculture, with penalty provisions and an emergency clause for certain sections."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "268.121," the numbers "273.327, 273.345,"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting all of said line and inserting in lieu thereof the following:

"assembly, second regular session, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, are repealed and nineteen new sections enacted in lieu thereof,"; and

Further amend said bill, Page 2, Section A, Line 12, by deleting all of said line and inserting in lieu thereof the following:

"268.121, 273.327, 273.345, 273.347, 276.421, 276.436, 276.441, 348.400, 348.407, 348.412, 411.280, and 1, to read as"; and

Further amend said bill, Page 15, Section 268.121, Line 11, by inserting after all of said line the following:

"273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to **two thousand** five hundred dollars per year. **Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering Operation Bark Alert or any successor program.** Pounds or dog pounds shall be exempt from payment of [such fee] **the fees under this section.** License fees shall be levied for each license issued or renewed on or after January 1, 1993.

273.345. 1. This section shall be known and may be cited as the "[Puppy Mill] **Canine** Cruelty Prevention Act."

2. The purpose of this act is to prohibit the cruel and inhumane treatment of dogs [in puppy mills] **bred in large operations** by requiring large-scale dog breeding operations to provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, and regular exercise.

3. Notwithstanding any other provision of law, any person having custody or ownership of more than ten female covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet shall provide each covered dog:

- (1) Sufficient food and clean water;
- (2) Necessary veterinary care;
- (3) Sufficient housing, including protection from the elements;
- (4) Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs;
- (5) Regular exercise; and
- (6) Adequate rest between breeding cycles.

4. [Notwithstanding any other provision of law, no person may have custody of more than fifty covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet.

5.] For purposes of this section and notwithstanding the provisions of section 273.325, the following terms have the following meanings:

(1) "Adequate rest between breeding cycles" means, at minimum, ensuring that **female** dogs are not bred to produce more [than two] litters in any [eighteen-month] **given period than what is recommended by a licensed veterinarian as appropriate for the species, age, and health of the dog;**

(2) "Covered dog" means any individual of the species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids, that is over the age of six months and has intact sexual organs;

(3) "Necessary veterinary care" means, at minimum, examination at least once yearly by a licensed veterinarian, prompt treatment of any **serious** illness or injury by a licensed veterinarian, and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association;

(4) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate;

(5) "Pet" means any [domesticated animal] **species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids,** normally maintained in or near the household of the owner thereof;

(6) "Regular exercise" means [constant and unfettered access to an outdoor exercise area that is composed of a solid ground-level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space provided to that dog] **the type and amount of exercise sufficient to comply with an exercise plan that has been approved by a licensed veterinarian, developed in accordance with regulations regarding exercise promulgated by the Missouri department of agriculture, and where such plan affords the dog maximum opportunity for outdoor exercise as weather permits;**

(7) "Retail pet store" means a person or retail establishment open to the public where dogs are bought, sold, exchanged, or offered for retail sale directly to the public to be kept as pets, but that does not engage in any breeding of dogs for the purpose of selling any offspring for use as a pet;

(8) "Sufficient food and clean water" means access to appropriate nutritious food at least [once] **twice** a day sufficient to maintain good health, and continuous access to potable water that is not frozen and is **generally** free of debris, feces, algae, and other contaminants;

(9) "Sufficient housing, including protection from the elements" means [constant and unfettered access to an indoor enclosure that has a solid floor, is not stacked or otherwise placed on top of or below another animal's enclosure, is cleaned of waste at least once a day while the dog is outside the enclosure, and does not fall below forty-five degrees Fahrenheit, or rise above eighty-five degrees Fahrenheit] **the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture and in compliance with the provisions of subsection 7 of this section. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture;**

(10) "Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs" means having:

(a) Sufficient indoor space **or shelter from the elements** for each dog to turn in a complete circle without any impediment (including a tether);

(b) Enough indoor space **or shelter from the elements** for each dog to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog;

(c) [At least one foot of headroom above the head of the tallest dog in the enclosure; and

(d) At least twelve square feet of indoor floor space per each dog up to twenty-five inches long, at least twenty square feet of indoor floor space per each dog between twenty-five and thirty-five inches long, and at least thirty square feet of indoor floor space per each dog for dogs thirty-five inches and longer (with the length of the dog measured from the tip of the nose to the base of the tail)] **Appropriate space depending on the species of the animal, as specified in regulations by the Missouri department of agriculture, as revised, and in compliance with the provisions of subsection 7 of this section.**

[6. A person is guilty of the crime of puppy mill cruelty when he or she knowingly violates any provision of this section. The crime of puppy mill cruelty is a class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. Each violation of this section shall constitute a separate offense. If any violation of this section meets the definition of animal abuse in section 578.012, the defendant may be charged and penalized under that section instead.

7.] 5. Any person subject to the provisions of this section shall maintain all veterinary records and sales records for the most recent previous two years. These records shall be made available to the state veterinarian, a state or local animal welfare official, or a law enforcement agent upon request.

6. The provisions of this section are in addition to, and not in lieu of, any other state and federal laws protecting animal welfare. This section shall not be construed to limit any state law or regulation protecting the welfare of animals, nor shall anything in this section prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section. This section shall not be construed to place any numerical limits on the number of dogs a person may own or control when such dogs are not used for breeding those animals and selling any offspring for use as a pet. This section shall not apply to a dog during examination, testing, operation, recuperation, or other individual treatment for veterinary purposes, during lawful scientific research, during transportation, during cleaning of a [dogs] **dog's** enclosure, during supervised outdoor exercise, or during any emergency that places a [dogs] **dog's** life in imminent danger. [This section shall not apply to any retail pet store, animal shelter as defined in section 273.325, hobby or show breeders who have custody of no more than ten female covered dogs for the purpose of breeding those dogs and selling any offspring for use as a pet, or dog trainer who does not breed and sell any dogs for use as a pet.] Nothing in this section shall be construed to limit hunting or the ability to breed, raise, [or] sell [hunting], **control, train, or possess dogs with the intention to use such dogs for hunting or other sporting purposes.**

7. Notwithstanding any law to the contrary, the following space requirements shall apply under this section:

(1) From January 1, 2012, through December 31, 2015, for any enclosure existing prior to April 15, 2011, the minimum allowable space shall:

(a) Be two times the space allowable under the department of agriculture's regulation that was in effect on April 15, 2011;

(b) Except as prescribed by rule, provide constant and unfettered access to an attached outdoor run; and

(c) Meet all other requirements set forth by rule of the Missouri department of agriculture;

(2) For any enclosure newly constructed after April 15, 2011, and for all enclosures as of January 1, 2016, the minimum allowable space shall:

(a) Be three times the space allowable under the department of agriculture's regulation that was in effect on April 15, 2011;

(b) Except as prescribed by rule, provide constant and unfettered access to an attached outdoor run; and

(c) Meet all other requirements set forth by rule of the Missouri department of agriculture;

(3) For any enclosure newly constructed after April 15, 2011, and for all enclosures as of January 1, 2016, wire strand flooring shall be prohibited and all enclosures shall meet the flooring standard set forth by rule of the Missouri department of agriculture.

8. If any provision of this section, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this section that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this section are severable.

[9. The provisions herewith shall become operative one year after passage of this act.]

273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.

2. A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section. The crime of canine cruelty is a class C misdemeanor, unless the person has previously pled guilty or nolo contendere to or been found guilty of a violation of this subsection, in which case, each such violation is a class A misdemeanor.

3. The attorney general or the county prosecuting attorney or circuit attorney may bring an action under sections 273.325 to 273.357 in circuit court in the county where the crime has occurred for criminal punishment.

4. No action under this section shall prevent or preclude action taken under section 578.012 or under subsection 3 of section 273.329."; and

Further amend said bill, Page 22, Section 411.280, Line 7, by inserting after all of said line the following:

"Section 1. Any person required to have a license under sections 273.325 to 273.357 who houses animals in stacked cages without an impervious barrier between the levels of such cages, except when cleaning such cages, is guilty of a class A misdemeanor."; and

Further amend said bill, Page 24, Section 263.450, Line 8, by inserting after all of said line the following:

"[273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to two thousand five hundred dollars per year. Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering Operation Bark Alert or any successor program. Pounds or dog pounds shall be exempt from payment of [such fee] the fees under this section. License fees shall be levied for each license issued or renewed on or after January 1, 1993.]

[273.345. 1. This section shall be known and may be cited as the "[Puppy Mill] Canine Cruelty Prevention Act."

2. The purpose of this act is to prohibit the cruel and inhumane treatment of dogs [in puppy mills] **bred in large operations** by requiring large-scale dog breeding operations to provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, and regular exercise.

3. Notwithstanding any other provision of law, any person having custody or ownership of more than ten female covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet shall provide each covered dog:

- (1) Sufficient food and clean water;
- (2) Necessary veterinary care;
- (3) Sufficient housing, including protection from the elements;
- (4) Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs;
- (5) Regular exercise; and
- (6) Adequate rest between breeding cycles.

4. [Notwithstanding any other provision of law, no person may have custody of more than fifty covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet.

5.] For purposes of this section and notwithstanding the provisions of section 273.325, the following terms have the following meanings:

(1) "Adequate rest between breeding cycles" means, at minimum, ensuring that **female** dogs are not bred to produce more [than two] litters in any [eighteen-month] **given period than what is recommended by a licensed veterinarian as appropriate for the species, age, and health of the dog**;

(2) "Covered dog" means any individual of the species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids, that is over the age of six months and has intact sexual organs;

(3) "Necessary veterinary care" means[, at minimum, examination at least once yearly] **at least two personal visual inspections annually** by a licensed veterinarian, **guidance from a licensed veterinarian on preventative care, an exercise plan that has been approved by a licensed veterinarian, normal and prudent attention to skin, coat, and nails**, prompt treatment of any illness or injury [by a licensed veterinarian], and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association. **If, during the course of a routine personal visual inspection, the licensed veterinarian detects signs of disease or injury, then a physical examination of any such afflicted dog shall be conducted by a licensed veterinarian**;

(4) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate;

(5) "Pet" means any [domesticated animal] **species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids**, normally maintained in or near the household of the owner thereof;

(6) "Regular exercise" means [constant and unfettered access to an outdoor exercise area that is composed of a solid ground-level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space provided to that dog] **the type and amount of exercise sufficient to comply with an exercise plan that has been approved by a licensed veterinarian, developed in accordance with regulations regarding exercise promulgated by the Missouri department of agriculture, and where such plan affords the dog maximum opportunity for outdoor exercise as weather permits**;

(7) "Retail pet store" means a person or retail establishment open to the public where dogs are bought, sold, exchanged, or offered for retail sale directly to the public to be kept as pets, but that does not engage in any breeding of dogs for the purpose of selling any offspring for use as a pet;

(8) "Sufficient food and clean water" means [access to appropriate nutritious food at least once a day sufficient to maintain good health, and continuous access to potable water that is not frozen and is free of debris, feces, algae, and other contaminants];

(a) **The provision, at suitable intervals of not more than twelve hours, unless the dietary requirements of the species requires a longer interval, of a quantity of wholesome foodstuff, suitable for the species and age, enough to maintain a reasonable level of nutrition in each animal. All foodstuffs shall be served in a safe receptacle, dish, or container; and**

(b) **The provision of a supply of potable water in a safe receptacle, dish, or container. Water shall be provided continuously or at intervals suitable to the species, with no interval to exceed eight hours;**

(9) "Sufficient housing, including protection from the elements" means [constant and unfettered access to an indoor enclosure that has a solid floor, is not stacked or otherwise placed on top of or below another animal's enclosure, is cleaned of waste at least once a day while the dog is outside the enclosure, and does not fall below forty-five degrees Fahrenheit, or rise above eighty-five degrees Fahrenheit] **the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture;**

(10) "Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs" means [having:

(a) Sufficient indoor space for each dog to turn in a complete circle without any impediment (including a tether);

(b) Enough indoor space for each dog to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog;

(c) At least one foot of headroom above the head of the tallest dog in the enclosure; and

(d) At least twelve square feet of indoor floor space per each dog up to twenty-five inches long, at least twenty square feet of indoor floor space per each dog between twenty-five and thirty-five inches long, and at least thirty square feet of indoor floor space per each dog for dogs thirty-five inches and longer (with the length of the dog measured from the tip of the nose to the base of the tail)] **appropriate space depending on the species of the animal, as specified in regulations by the Missouri department of agriculture, as revised.**

[6. A person is guilty of the crime of puppy mill cruelty when he or she knowingly violates any provision of this section. The crime of puppy mill cruelty is a class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. Each violation of this section shall constitute a separate offense. If any violation of this section meets the definition of animal abuse in section 578.012, the defendant may be charged and penalized under that section instead.

7.] 5. Any person subject to the provisions of this section shall maintain all veterinary records and sales records for the most recent previous two years. These records shall be made available to the state veterinarian, a state or local animal welfare official, or a law enforcement agent upon request.

6. The provisions of this section are in addition to, and not in lieu of, any other state and federal laws protecting animal welfare. This section shall not be construed to limit any state law or regulation protecting the welfare of animals, nor shall anything in this section prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section. This section shall not be construed to place any numerical limits on the number of dogs a person may own or control when such dogs are not used for breeding those animals and selling any offspring for use as a pet. This section shall not apply to a dog during examination, testing, operation, recuperation, or other individual treatment for veterinary purposes, during lawful scientific research, during transportation, during cleaning of a [dogs] **dog's** enclosure, during supervised outdoor exercise, or during any emergency that places a [dogs] **dog's** life in imminent danger. [This section shall not apply to any retail pet store, animal shelter as defined in section 273.325, hobby or show breeders who have custody of no more than ten female covered dogs for the purpose of breeding those dogs and selling any offspring for use as a pet, or dog trainer who does not breed and sell any dogs for use as a pet.] Nothing in this section shall be construed to limit hunting or the ability to breed, raise, [or] sell [hunting], **control, train, or possess dogs with the intention to use such dogs for hunting or other sporting purposes.**

[8.] **7.** If any provision of this section, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this section that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this section are severable.

[9.] **8.** The provisions herewith shall become operative one year after passage of this act.]

[273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.

2. A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section. The crime of canine cruelty is a class C misdemeanor, unless the person has previously pled guilty or nolo contendere to or been found guilty of a violation of this subsection, in which case, each such violation is a class A misdemeanor.

3. The attorney general or the county prosecuting attorney or circuit attorney may bring an action under sections 273.325 to 273.357 in circuit court in the county where the crime has occurred for criminal punishment.

4. No action under this section shall prevent or preclude action taken under section 578.012 or under subsection 3 of section 273.329.]; and

Further amend said bill, Page 24, Section 276.446, Line 8, by inserting after all of said line the following:

"[Section 1. Any person required to have a license under sections 273.325 to 273.357 who houses animals in stacked cages without an impervious barrier between the levels of such cages, except when cleaning such cages, is guilty of a class A misdemeanor.]

Section B. In order to improve the immediate health and welfare of dogs in this state and to provide sufficient time for businesses to comply with changes in the law, the repeal and reenactment of sections 273.327 and 273.345, the enactment of sections 273.347 and 1, and the repeal of sections 273.327, 273.345, 273.347, and 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 273.327 and 273.345, the enactment of sections 273.347 and 1, and the repeal of sections 273.327, 273.345, 273.347, and 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS SB 161, with House Amendment No. 1, pending, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

THIRD READING OF SENATE BILL

HCS SB 161, with House Amendment No. 1, pending, relating to agriculture, was again taken up by Representative Guernsey.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Quinn offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 161, Page 2, Section 137.010, Lines 1-33, by deleting all of said section and lines; and

Further amend said bill, Page 3, Section 137.080, Lines 1-16, by deleting all of said section and lines; and

Further amend said bill, Pages 3-8, Section 137.115, Lines 1-172, by deleting all of said section and lines; and

Further amend said bill, Pages 8-12, Section 137.115, Lines 1-197, by deleting all of said section and lines; and

Further amend said bill, Pages 12-13, Section 263.190, Lines 1-40, by deleting all of said section and lines; and

Further amend said bill, Page 14, Section 263.200, Lines 1-27, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.220, Lines 1-2, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.240, Lines 1-3, by deleting all of said section and lines; and

Further amend said bill, Pages 14-15, Section 268.121, Lines 1-11, by deleting all of said section and lines; and

Further amend said bill, Pages 15-17, Section 276.421, Lines 1-74, by deleting all of said section and lines; and

Further amend said bill, Pages 17-18, Section 276.436, Lines 1-57, by deleting all of said section and lines; and

Further amend said bill, Pages 18-19, Section 276.441, Lines 1-12, by deleting all of said section and lines; and

Further amend said bill, Page 22, Section 411.280, Lines 1-7, by deleting all of said section and lines; and

Further amend said bill, Pages 22-23, Section 263.205, Lines 1-26, by deleting all of said section and lines; and

Further amend said bill, Page 23, Section 263.230, Lines 1-9, by deleting all of said section and lines; and

Further amend said bill, Pages 23-24, Section 263.232, Lines 1-20, by deleting all of said section and lines; and

Further amend said bill, Page 24, Section 263.241, Lines 1-7, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.450, Lines 1-7, by deleting all of said section and lines; and

Further amend said bill and page, Section 276.416, Lines 1-10, by deleting all of said section and lines; and

Further amend said bill and page, Section 276.446, Lines 1-8, by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Quinn, **House Amendment No. 2** was adopted.

On motion of Representative Guernsey, **HCS SB 161, as amended**, was adopted.

On motion of Representative Guernsey, **HCS SB 161, as amended**, was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hughes	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Still
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 042

Anders	Atkins	Carlson	Casey	Ellinger
Funderburk	Grisamore	Harris	Hubbard	Hummel
Jones 63	Kirkton	Kratky	Lampe	Lasater
Lauer	Leara	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Solon	Spreng	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 001

Black

ABSENT WITH LEAVE: 009

Carter	Colona	Conway 27	Day	Hampton
Hodges	Kander	Ruzicka	Weter	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lauer
Leach	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 040

Allen	Anders	Atkins	Carlson	Carter
Ellinger	Holsman	Hughes	Hummel	Jones 63
Kirkton	Lampe	Leara	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Torpey	Walton Gray	Webb	Webber	Zerr

PRESENT: 001

Black

ABSENT WITH LEAVE: 008

Colona	Conway 27	Hampton	Kander	Kelly 24
Lasater	Ruzicka	Scharnhorst		

VACANCIES: 003

PERFECTION OF HOUSE BILLS

HCS HB 773, relating to surplus lines insurance regulations, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 773** was adopted.

On motion of Representative Gosen, **HCS HB 773** was ordered perfected and printed.

HCS HB 787, relating to investment transactions, was taken up by Representative Wells.

Representative Wells offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 787, Page 11, Section 443.812, Line 25, by inserting after the words, “**modular homes**” the words, “**, mortgage loan brokers located in the Kansas City metropolitan area including the counties of Johnson, Leavenworth, and Wyandotte in the state of Kansas or mortgage loan brokers located in the Greater St. Louis metropolitan area including the counties of Madison, Monroe and St. Clair in the state of Illinois**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1** was adopted.

On motion of Representative Wells, **HCS HB 787, as amended**, was adopted.

On motion of Representative Wells, **HCS HB 787, as amended**, was ordered perfected and printed.

HCS HB 552, relating to bleeding disorder therapies, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 552** was adopted.

On motion of Representative Molendorp, **HCS HB 552** was ordered perfected and printed.

HCS HB 597, relating to the Private Landowner Protection Act, was taken up by Representative Pollock.

Representative Smith (150) assumed the Chair.

On motion of Representative Pollock, **HCS HB 597** was adopted.

On motion of Representative Pollock, **HCS HB 597** was ordered perfected and printed.

HCS HB 732, relating to professional registration, was taken up by Representative Brandom.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 732, Page 2, Section 195.453, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

“of all schedule II, III, IV, and V controlled substances by all professionals”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 732, Pages 12-13, Section 334.099, Lines 1-58, by deleting all of said section and lines and inserting in lieu thereof the following:

“334.099. 1. The board may initiate a hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:

(1) The board shall serve notice pursuant to section 536.067 of the hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;

(2) For purposes of this section and prior to any hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section.

(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances, the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;

(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;

(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;

(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;

(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a hearing to determine if by a preponderance of the evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason

of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or substance abuse, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or by any state or federal agency.

4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.

5. For purposes of this section, "examination" means a skills, multidisciplinary, or substance abuse evaluation."; and

Further amend said bill, Page 16, Section 334.100, Lines 103-106, by deleting all of said lines and inserting in lieu thereof the following:

"(b) "Negligence", is:

a. The failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession, in the treatment of one or more patients where such failure causes damage to one or more patients; or

b. The failure, on one or more occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession, in the treatment of one or more patients where such failure causes serious and permanent injury;"; and

Further amend said bill, Page 24, Section 334.102, Lines 93-94, by deleting all of said lines and inserting in lieu thereof the following:

"2. The board shall hold a hearing to determine if probable cause exists.

(1) At least seven days but not more than fourteen days prior to the hearing, the board shall serve the licensee with notice of the hearing, including a statement of the facts alleged to give rise to the emergency suspension, the affidavits the board intends to rely on to prove such facts, the date of the hearing, and the licensee's right to present evidence via affidavit or by his or her own sworn testimony;

(2) Service may be by personal service or by leaving a copy of the notice at the last known address of the licensee on file with the board;

(3) At the hearing, the board shall receive into evidence and review any affidavits presented in proper form from either party and shall hear the sworn testimony of the licensee if offered;

(4) If the board determines that there is probable cause pursuant to subsection 1 of this section, the board may issue an emergency suspension or restriction."; and

Further amend said page and section, Line 98, by deleting the semicolon ";" and inserting in lieu thereof a period "."; and

Further amend said page and section, Lines 99-101, by deleting all of said lines from the bill; and

Further amend said page and section, Lines 107-112, by deleting all of said lines and inserting in lieu thereof the following:

“(3) The circuit court shall hear the appeal de novo and may modify or stay the emergency suspension or restriction.”; and

Further amend said page and section, Line 117, by inserting after the word **“days”** the phrase **“of the effective date of the suspension issued pursuant to subsection 2 of this section”**; and

Further amend bill, Page 25, Section 334.102, Line 131, by deleting all of said line and inserting in lieu thereof the following:

“8. If the court vacates the emergency suspension or in its final order the board rescinds the emergency suspension, the board shall remove all reference to such emergency suspension from its public records. Records relating to the suspension shall be maintained in the board files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.

9. (1) The board may initiate a hearing before the board for discipline of any”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 732, Section 334.108, Page 26, Lines 16 to 20, and Page 27, Lines 21 and 22, by deleting all of said lines and inserting in lieu thereof the following:

“2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician’s designee when treatment is provided:

- (1) In a hospital as defined in section 197.020;**
 - (2) In a hospice program as defined in section 197.250;**
 - (3) In a home health program as defined in section 197.400;**
 - (4) In accordance with a collaborative practice agreement as defined in section 334.104;**
 - (5) In conjunction with a physician assistant licensed pursuant to section 334.738;**
 - (6) In consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications;**
- or**
- (7) In on-call or cross-coverage situations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Frederick, **House Amendment No. 3** was adopted.

HCS HB 732, as amended, was laid over.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 45, as amended, relating to small business tax relief, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **SS SCS HCS HB 45, as amended**, was adopted by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Swinger
Taylor	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 025

Anders	Atkins	Carlson	Carter	Ellinger
Hummel	Jones 63	Kirkton	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Newman
Oxford	Pace	Pierson	Schupp	Smith 71
Still	Swearingen	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Talboy	Thomson	

VACANCIES: 003

On motion of Representative Hoskins, **SS SCS HCS HB 45, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Sater	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Swinger	Taylor	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 024

Atkins	Carlson	Carter	Ellinger	Hummel
Jones 63	Kirkton	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Oxford
Pace	Pierson	Schupp	Smith 71	Still
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Talboy	Thomson	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 423**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 161, as amended**, and has taken up and passed **HCS SB 161, as amended**.

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SB 161** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Jones (89), the House recessed until 6:45 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 193

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill No. 193 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill No. 193;
2. That the House recede from its position on House Committee Substitute for House Bill No. 193;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ John Diehl
/s/ Stanley Cox

FOR THE SENATE:

/s/ Scott Rupp
/s/ Jason Crowell

/s/ Tom Loehner
/s/ Penny Hubbard
/s/ Jamilah Nasheed

/s/ Brad Lager
/s/ Victor Callahan

Representative Jones (89) moved that Rule 57(c) be suspended for the purpose of taking up the Conference Committee Report on **SS HCS HB 193**.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCahterty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Ellinger	Fallert
Harris	Hodges	Holsman	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Thomson		

VACANCIES: 003

BILL IN CONFERENCE

CCR SS HCS HB 193, relating to congressional districts, was taken up by Representative Diehl.

On motion of Representative Diehl, **CCR SS HCS HB 193** was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Sater	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Cauthorn	Ellinger	Fallert
Grisamore	Harris	Hodges	Holsman	Houghton
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Montecillo	Nance	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Thomson		

VACANCIES: 003

On motion of Representative Diehl, **CCS SS HCS HB 193** was read the third time and passed by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nasheed	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 055

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Cauthorn	Ellinger	Fallert
Grisamore	Harris	Hodges	Holsman	Houghton
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Montecillo	Nance	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Conway 27	Kander	Nolte	Ruzicka
Scharnhorst	Schneider	Stream	Thomson	

VACANCIES: 003

Speaker Tilley declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS HB 193**, and has taken up and passed **CCS SS HCS HB 193**.

RECESS

On motion of Representative Jones (89), the House recessed until such time as the Speaker signs **CCS SS HCS HB 193** or until 10:00 p.m., whichever comes first.

The hour of recess having expired, the House was called to order by Speaker Tilley.

SIGNING OF HOUSE BILL

Representative Aull offered an objection to **CCS SS HCS HB 193** which was appended to the bill.

LETTER OF OBJECTION

April 27, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Article III, Section 30, of the Missouri Constitution, I do hereby object to the constitutionality of **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** on the grounds that the redrawn congressional districts, in particular the Fifth Congressional District, violate the compactness requirement of Article III, Section 45 of the Missouri Constitution.

Please note said objection in the House Journal and annex it to **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** to be considered by the Governor in connection therewith as mandated by Article III, Section 30.

Sincerely,

/s/ Representative Joe Aull
26th District

All other business of the House was suspended while **CCS SS HCS HB 193** was read at length and was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SS HCS HB 193** was delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 53 - Transportation

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 16 - Fiscal Review (Fiscal Note)

HJR 27 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 54**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 61**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HR 1826**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 1826

WHEREAS, the life-affirming impact of pregnancy resource centers and maternity homes on women, families, and the communities they serve is considerable and growing, and pregnancy resource centers and maternity homes serve with integrity and compassion; and

WHEREAS, more than 65 pregnancy resource centers and maternity homes throughout Missouri provide care to women and their families facing unplanned pregnancies, including resources to meet their physical, psychological, emotional, and spiritual needs; and

WHEREAS, according to the Missouri Department of Social Services, in fiscal year 2010, Missouri's pregnancy resource centers and maternity homes served about 38,000 clients, with services which include free pregnancy tests; baby and maternity clothing; diapers; childbirth, parenting, GED, budgeting, and job training classes; housing; ultrasound services; and

WHEREAS, many pregnancy resource centers and maternity homes offer twenty-four hour telephone hotlines; information on adoption and adoption counseling; referrals to community, health care, and other support services, in addition to other prenatal services that lead to the birth of healthy infants; and

WHEREAS, pregnancy resource centers and maternity homes encourage pregnant women to make positive life choices by equipping them with complete and accurate information regarding their pregnancy options and the development of their unborn children; and

WHEREAS, pregnancy resource centers and maternity homes provide women with compassionate and confidential counseling in a nonjudgmental manner regardless of their pregnancy outcomes, as well as providing abstinence education, domestic violence information, and relationship counseling; and

WHEREAS, many pregnancy resource centers and maternity homes provide grief assistance for women who regret the loss of a child from past choices they made or the circumstances they were placed in; and

WHEREAS, pregnancy resource centers and maternity homes operate primarily through the voluntary donations and time of caring individuals, as well as the support of churches, who are committed to caring for the needs of women and their families and promoting and protecting life:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby support the work of pregnancy resource centers and maternity homes in this state and acknowledge their outstanding service to women and families in Missouri in providing holistic life changing services beyond the state's ability.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 65**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SB 118**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 177**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SB 90**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 325**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 48**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 707**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 999**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 145**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 165**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 83**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 109**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 136**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 142**, entitled:

An act to repeal sections 55.030 and 475.115, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9 and Senate Amendment No. 10.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 142, Pages 2-3, Section 488.070, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"67.319. 1. If approved by a majority of the voters voting on the proposal, any city, town, or village located within this state may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, or village, a fee not to exceed one dollar per month or twelve dollars annually.

2. The ballot of submission shall be in substantially the following form:

For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line, shall (city, town, or village) be authorized to impose a fee not to exceed one dollar per month or twelve dollars annually on residential property for each water service line providing water service within the (city, town, or village) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs or replacements?

☐ YES

☐ NO

3. For the purpose of this section, a water service line may be defined by local ordinance, but may not include the water meter or exceed that portion of water piping and related valves and connectors which extends from the water mains owned by the utility or municipality distributing public water supply to the first opportunity for a connection or joint beyond the point of entry into the premises receiving water service, and may not include facilities owned by the utility or municipality distributing public water supply. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.

4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, or village may enact an ordinance for the collection of such fee. The

funds collected under such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the water service line repairs as defined in the ordinance and, if sufficient revenues are available, to reimburse the necessary costs of water service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of water service lines.

5. The city, town, or village may establish, as provided in the ordinance, regulations necessary for the administration of collections, claims, repairs, replacements and all other activities necessary and convenient for the implementation of any ordinance adopted and approved under this section. The city, town, or village may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section.

6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village or county that adopts an ordinance pursuant to this section, who now or hereafter collects any fee to provide for, ensure or guarantee the repair of water service lines, may add such fee to the general tax levy bills of property owners within the city, town, village or unincorporated area of the county. All revenues received on such combined bill which are for the purpose of providing for, ensuring or guaranteeing the repair of water service lines, shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village or county. The collector of the city, town, village or county may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. The officer in charge of finance shall cause the amount of unrecovered costs to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official's option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city's charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill."; and

Further amend said bill and page, Section 475.115, Line 19, by inserting after all of said line the following:

"479.011. 1. (1) The following cities may establish an administrative adjudication system under this section:

- (a) Any city not within a county [or];**
- (b) Any home rule city with more than four hundred thousand inhabitants and located in more than one county;**

and

(c) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The cities listed in subdivision (1) of this subsection may establish, by order or ordinance, an administrative system for adjudicating housing, property maintenance, nuisance, parking, and other civil, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This

section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.

2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.

3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536 shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review. Such determination is subject to review under chapter 536 or, at the request of the defendant made within ten days, a trial de novo in the circuit court. After expiration of the judicial review period under chapter 536, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same manner as a judgment lien under a judgment of a court of competent jurisdiction. **The city may also issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"67.314. 1. The provisions of this section shall apply to contracts for construction awarded by political subdivisions of the state of Missouri and shall be known as the "Political Subdivision Construction Bidding Standards Act".

2. Any political subdivision of the state authorizing the construction of facilities which may exceed an expenditure of twenty-five thousand dollars shall publicly advertise:

(1) Through publication in a central repository developed by the office of administration, or a private firm under contract with the office of administration, at no cost to the state;

(2) On the political subdivision's website, so long as it has a link to the office of administration's central repository;

(3) In a newspaper of general circulation located within the same county as the political subdivision is located, or in an adjoining county if there is no newspaper in the same county, for once a week for two consecutive weeks; or

(4) Through publication, at no cost to the political subdivision, in a central repository developed by an organization representing political subdivisions. The organization may charge appropriate fees for access to bid solicitations.

3. The political subdivision may, in addition to advertising in the manner described in subsection 2 of this section, also advertise in business, trade, or minority newspapers.

4. For purposes of this section, the term "construction of facilities" shall mean the construction, alteration, or repair of any structure, including but not limited to buildings, highways, bridges, streets, viaducts,

water or sewer lines or systems, or pipelines. The term shall include any demolition, moving, or excavation connected therewith, and the furnishing of surveying, construction engineering, planning or management services, or labor, material, or equipment, as required to perform work under the contract for construction.

5. Nothing in this section shall be construed to require the design or engineering of any project, as the term "project" is defined in section 8.287, to be awarded by competitive bidding if the contract for such services is under a separate contract from the contract for construction and is awarded under sections 8.285 to 8.291, or to construction management services governed by sections 8.675 to 8.687. Neither shall this section be construed to apply to contracts awarded for the "design/build" method of project delivery, if the political subdivision's procurement of "design/build" projects is otherwise authorized by law, local charter, ordinance, order, or resolution. The advertising requirements contained in this section shall not apply when a political subdivision has publicly stated, in writing, that because of the unique nature or limited availability of material, equipment, or skills for a construction project of the type described in subsection 2 of this section, the political subdivision is using a sole source method to award a construction contract. Nothing in this subsection shall be construed to relieve the political subdivision from the requirement to seek and obtain a bid from the company or firm to whom the contract will be awarded.

6. The provisions of this section shall not apply to any political subdivision required to advertise, solicit, award, and reject bids in compliance with:

(1) Other Missouri statutes, state rules, and federal and state funding requirements applicable to the specific political subdivision which are in effect on August 28, 2011, or as such requirements may be enacted or amended; or

(2) Any provision of a local charter, ordinance, order, resolution, or policy applicable to the specific political subdivision which is in effect or which is subsequently adopted by the political subdivision after August 28, 2011, as long as such state or local provisions require the political subdivision to meet equivalent or stricter competitive bidding requirements for construction as are contained in this section.

7. No bids shall be entertained by a political subdivision which are not made in accordance with the specifications furnished by the political subdivision and all contracts shall be awarded to the lowest and best bidder complying with the terms of the letting, provided that the political subdivision shall have the right to reject any and all bids.

8. All bidding shall conform to the following procedures:

(1) No bid shall be opened: in advance of the advertised deadline for submission of bids; or in a place other than that specified in the original solicitation of bids or in an amendment to the solicitation communicated in advance to all known bidders;

(2) No bid shall be accepted unless it is sealed and is in writing. If the letting of the project for which bids were solicited is cancelled, bids shall be returned to the bidders unopened;

(3) No bid shall be accepted after the advertised deadline for acceptance of bids;

(4) All bids received shall be held secure and confidential from all persons until the bids are opened pursuant to subdivision (1) of this subsection. Bids shall only be opened in public;

(5) Nothing in this section shall be construed to prohibit acceptance and processing of bids through an established program of electronic bidding by computer, provided bids accepted and processed electronically shall meet standards of confidentiality comparable to requirements for written bids established by this section.

9. Failure of the political subdivision to follow any of the procedures described in this section shall result in the contract being voided and the political subdivision shall rebid the contract in accordance with the provisions of this section.

10. Any person who would have submitted a bid except for failure of the political subdivision to advertise the contract pursuant to this section shall have standing to seek equitable relief in a court of competent jurisdiction within fifteen business days of the date the political subdivision opened the bids for the contract, but the only remedy that may be imposed by the court is ordering the contract to be rebid.

11. Nothing in this section shall be construed to require acceptance of a bid which exceeds the amount estimated by the political subdivision for the contract, nor shall anything in this section prohibit a political subdivision from awarding contracts without competitive bidding when the political subdivision deems it necessary to remove an immediate danger to the public health or safety, to prevent loss to public or private property which requires government action, or to prevent an interruption of or to restore an essential public service, however, the political subdivision shall produce a written public record documenting the need to contract for such services without competitive bidding."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Bill No. 142, Page 1, Section A, Line 3, by inserting after all of said line the following:

"50.622. Any county may amend the annual budget during any fiscal year in which the county receives additional funds **or a decrease in funds**, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsection 4 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

5. In any school district in any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants, candidates for school board election in which more than one seat on the school board is open, shall declare their candidacy for a particular seat on the school board. When more than one seat is open, the election authority shall designate the open seats by letter so that the candidates for the school board are required to run for a particular seat that is so designated. The declaration of candidacy for a particular seat shall be made in accordance with the procedures of section 162.281. Candidates shall also be nominated for a designated seat by petition in accordance with section 162.491."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting immediately after said line the following:

"90.101. **1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.**

2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 149**, entitled:

An act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 186**, entitled:

An act to repeal section 51.050, RSMo, and to enact in lieu thereof three new sections relating to county officers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 217**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 220**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 465**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 550**.

The following member's presence was noted: Colona.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 10:00 a.m., Thursday, April 28, 2011.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE

Monday, May 2, 2011, 10:00 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 28, 2011, 12:00 PM House Hearing Room 3.

Public hearing will be held: SS SB 238, SS#2 SCS SB 320

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 28, 2011, House Hearing Room 4 upon afternoon adjournment.

Public hearing will be held: SJR 10, SCS SB 323

Executive session will be held: SJR 10, SCS SB 323

Executive session may be held on any matter referred to the committee.

ELECTIONS

Thursday, April 28, 2011, 9:30 AM House Hearing Room 7.

Public hearing will be held: SCS SB 270, SS SB 9

Executive session will be held: SCS SB 270

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 28, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2nd Quarter Meeting

LOCAL GOVERNMENT

Monday, May 2, 2011, upon evening adjournment.

Committee dinner only

RURAL COMMUNITY DEVELOPMENT

Thursday, April 28, 2011, House Hearing Room 1 upon morning adjournment.

Executive session will be held: SS SB 360

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HCR 53, SCS SBs 26 & 106

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-THIRD DAY, THURSDAY, APRIL 28, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 138 - Thomson
- 12 HB 491 - Diehl
- 13 HB 364 - Parkinson
- 14 HCS HB 742 - Wyatt

- 15 HCS HB 212 - Thomson
- 16 HCS HB 613 - Holsman
- 17 HB 686 - Richardson
- 18 HCS HB 688 - Pollock
- 19 HCS HB 716 - Wyatt
- 20 HCS HB 732, as amended - Brandom
- 21 HB 741 - Bernskoetter
- 22 HCS HB 811 - Talboy
- 23 HCS HB 893 - Richardson
- 24 HB 924 - Nolte
- 25 HCS HBs 504, 505 & 874 - Diehl
- 26 HB 658 - Schatz
- 27 HCS HB 707 - Brown (50)
- 28 HCS HB 999 - Schad

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HJR 27, (Fiscal Review 4-27-11) - Brattin
- 2 HCS HJR 16, (Fiscal Review 4-27-11) - Dugger

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 17 - Silvey
- 2 HCS HB 18 - Silvey
- 3 HCS HB 21 - Silvey
- 4 HCS HB 22 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HCS HB 773, E.C. - Gosen
- 4 HCS HB 787 - Wells
- 5 HCS HB 552 - Molendorp
- 6 HCS HB 597 - Pollock

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Pollock

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 SJR 2, (Fiscal Review 4-26-11) - Cox

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 3, (Fiscal Review 4-26-11) - Diehl
- 2 HCS SS#2 SCS SB 8 - Fisher
- 3 SS SB 55 - Day
- 4 HCS SS SCS SB 58 - Denison
- 5 SB 101 - Nance
- 6 HCS SS SB 135, E.C. - Jones (89)
- 7 HCS SCS SB 163 - Thomson
- 8 HCS SB 173 - Cierpiot
- 9 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 10 HCS SCS SB 219 - Wells
- 11 HCS SB 220 - Diehl
- 12 HCS SB 282 - Dugger
- 13 SS SB 306 - Wells
- 14 HCS SCS SB 366 - Diehl
- 15 HCS SCS SB 57 - Gatschenberger
- 16 SB 83 - Wells
- 17 HCS#2 SB 96 - Fitzwater
- 18 HCS SB 145 - Gatschenberger
- 19 SB 165 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HBs 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-THIRD DAY, THURSDAY, APRIL 28, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Love bears all things, believes all things, hopes all things, endures all things. (I Corinthians 13:7)

O God, fount of all that is good and true and beautiful, Whose love endures forever, we thank You for the reverence which lifts our hearts to what is real, and for the love of home that reflects Your gracious spirit. Bless, we pray You, those whom You have brought together. May our consecration be beautiful and everlasting.

We invoke Your blessing upon our labors this day that we may help to build a better world in which men and women can live together in peace and good will and in which their children may grow into fuller manhood and finer womanhood. Teach us that only through love can we begin to perceive the divine mysteries of life and the true glory of our relationships.

Blest be the tie that binds our hearts in steadfast love; the fellowship of kindred minds is like to that which is above. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Lehmen and Nya Christina Brent.

The Journal of the sixty-second day was approved as corrected.

Speaker Pro Tem Schoeller assumed the Chair.

SPECIAL RECOGNITION

The family of the late Lloyd Presley, founder of Presleys' Country Jubilee, Branson, Missouri, was introduced by Representative Denison. Mr. Presley was recognized as an Outstanding Missourian.

Speaker Tilley resumed the Chair.

Julie Mealy, Computer Information Technologist III, was introduced by Representative Riddle and presented a resolution acknowledging her retirement after 29 years of service to the Missouri House of Representatives.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2791 through House Resolution No. 2841

SIGNING OF HOUSE BILLS

Having been duly signed in open session of the Senate, **HCS HB 1**, **SS SCS HCS HB 14**, **HB 15**, **HB 182**, **HCS HB 354**, **HCS HB 557**, **HB 749** and **HB 795** were delivered to the Governor by the Chief Clerk of the House on April 26, 2011.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 16** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 27** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SJR 2** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 3** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SCS SB 366, relating to the Cooperative Associations Act, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 366, Page 4, Section 351.409, Line 19, by inserting after the words "**under the law**" the words "**of this state or**"; and

Further amend said bill, Page 5, Section 351.409, Line 61, by deleting the words "**to non-Missouri entity**"; and

Further amend said bill, Page 5, Section 351.409, Line 62, by deleting the words "**to non-Missouri entity**"; and

Further amend said bill, Page 5, Section 351.409, Line 68, by deleting the words "**out of the state of Missouri**"; and

Further amend said bill, Page 5, Section 351.409, Line 69, by deleting the words "**out of the state of Missouri**"; and

Further amend said bill, Page 5, Section 351.409, Line 71, by deleting the words "**to non-Missouri entity**"; and

Further amend said bill, Page 6, Section 351.409, Line 111, by inserting after all of said line the following:

- "351.658. Except as otherwise provided in this chapter, the secretary of state shall charge and collect for:
- (1) Filing application for reservation of a corporate name, twenty dollars;
 - (2) Filing amendment to articles of incorporation or certificate of authority and issuing a certificate of amendment or amended certificate of authority, twenty dollars;
 - (3) Filing articles of merger or consolidation, twenty-five dollars plus five dollars for each merging or consolidating Missouri corporation or foreign corporation authorized to do business in Missouri over two in number;
 - (4) Filing articles of dissolution, twenty dollars; filing articles of liquidation, twenty dollars;
 - (5) Filing of revocation of articles of dissolution, twenty dollars;
 - (6) Filing of restated articles of incorporation, twenty dollars;
 - (7) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, twenty dollars;
 - (8) Filing statement of change of address of registered office or change of registered agent, or both, five dollars;
 - (9) Filing resignation of registered agent, five dollars;
 - (10) Certified copy of corporate record, in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies;
 - (11) Furnishing certificate of corporate existence, five dollars;
 - (12) Furnishing certificate--others, twenty dollars;
 - (13) Filing evidence of merger by a foreign corporation, twenty dollars plus one dollar for each additional foreign corporation authorized to do business in Missouri over two;
 - (14) Filing evidence of dissolution by a foreign corporation, twenty dollars;
 - (15) Filing certificate of conversion to a corporation under section 351.408, fifty-three dollars;**
 - (16) Filing certificate of conversion from a corporation under section 351.409, fifty dollars.";** and

Further amend said bill, Page 11, Section 351.1021, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"351.1021. Upon notification that a filing by a cooperative has been made in error and receipt of a court order directing him or her to do so, the secretary of state shall revoke the erroneous filing and authorize a"; and

Further amend said bill, Page 65, Section 351.1225, Line 3, by inserting after all of said line the following:

"351.1227. The secretary of state shall have further power and authority as is reasonably necessary to enable the secretary of state to administer this chapter efficiently and to perform the duties therein imposed upon the secretary of state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson

1667 *Journal of the House*

Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Jones 63	Kander	Redmon	Ruzicka
Scharnhorst				

VACANCIES: 003

On motion of Representative Diehl, **HCS SCS SB 366, as amended**, was adopted.

On motion of Representative Diehl, **HCS SCS SB 366, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher

Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Carlson	Kander	Oxford	Smith 71	Spreng
Still				

PRESENT: 000

ABSENT WITH LEAVE: 008

Cookson	Ellinger	Franklin	Funderburk	Jones 63
McGhee	Ruzicka	Scharnhorst		

VACANCIES: 003

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 17, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 17** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot

Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Sater	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Cox	Dieckhaus	Funderburk	Holsman
Jones 63	Loehner	McGhee	Riddle	Ruzicka
Schad	Scharnhorst	Mr Speaker		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 18, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 18** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger

Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hughes	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Sater	Schad
Schatz	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 015

Bahr	Brattin	Cookson	Curtman	Dugger
Fuhr	Hinson	Houghton	Koenig	Lasater
Marshall	Parkinson	Pollock	Schieber	Smith 150

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Dieckhaus	Funderburk	Jones 63	Loehner
McGhee	Ruzicka	Scharnhorst	Schneider	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 21, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 21** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hinson	Hodges

1671 *Journal of the House*

Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Funderburk	Haefner	Holsman	Jones 63
Loehner	McGhee	Nasheed	Ruzicka	Scharnhorst

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 22, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 22** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Dieckhaus	Funderburk	Holsman	Jones 63	McDonald
McGhee	Nasheed	Ruzicka	Scharnhorst	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 773, relating to surplus lines insurance regulations, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 773** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer

1673 *Journal of the House*

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 002

Molendorp	Wieland
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ABSENT WITH LEAVE: 007

Dieckhaus	Funderburk	Jones 63	Lant	McGhee
Ruzicka	Scharnhorst			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson

Riddle	Rizzo	Rowland	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 002

Molendorp Wieland

ABSENT WITH LEAVE: 010

Barnes	Dieckhaus	Elmer	Funderburk	Jones 63
Lant	McGhee	McNary	Ruzicka	Scharnhorst

VACANCIES: 003

HCS HB 787, relating to investment transactions, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 787** was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Riddle	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Spreng	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

1675 *Journal of the House*

NOES: 032

Anders	Atkins	Carlson	Carter	Colona
Haefner	Higdon	Holsman	Hughes	Hummel
Kander	Lasater	Marshall	May	McCann Beatty
McGeoghegan	McManus	McNeil	Montecillo	Newman
Oxford	Peters-Baker	Pierson	Rizzo	Schupp
Smith 71	Solon	Still	Talboy	Walton Gray
Webb	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 011

Dieckhaus	Elmer	Funderburk	Jones 63	Lant
McGhee	Reiboldt	Richardson	Ruzicka	Scharnhorst
Schneider				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 552, relating to bleeding disorder therapies, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 552** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dugger	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford

Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 005

Bahr	Burlison	Curtman	Koenig	Parkinson
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PRESENT: 001

Marshall

ABSENT WITH LEAVE: 013

Conway 14	Dieckhaus	Diehl	Elmer	Funderburk
Hughes	Jones 63	Lant	McGhee	Pollock
Riddle	Ruzicka	Scharnhorst		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 16, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HJR 16** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater
Schad	Schatz	Schieber	Schieffer	Schneider

1677 *Journal of the House*

Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 004

Asbury	Cookson	Marshall	May
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PRESENT: 000

ABSENT WITH LEAVE: 012

Cox	Dieckhaus	Funderburk	Hughes	Jones 63
Kander	Lant	McGhee	Parkinson	Ruzicka
Scharnhorst	Talboy			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 597, relating to the Private Landowner Protection Act, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 597** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Sater	Schad

Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Cauthorn	Fisher	Houghton	Hughes	Klippenstein
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PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Cox	Dieckhaus	Funderburk	Jones 63
Kander	Lant	McGhee	Parkinson	Ruzicka
Scharnhorst				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 27, relating to the right to bear arms, was taken up by Representative Brattin.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Lair	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

1679 *Journal of the House*

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Kander	Kelly 24
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 012

Cox	Dieckhaus	Frederick	Funderburk	Jones 63
Lant	Nolte	Phillips	Ruzicka	Scharnhorst
Schatz	Wright			

VACANCIES: 003

On motion of Representative Brattin, **HJR 27** was read the third time and passed by the following vote:

AYES: 114

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 035

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Nasheed	Newman	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 011

Cox	Dieckhaus	Frederick	Funderburk	Jones 63
Lant	Nolte	Phillips	Ruzicka	Scharnhorst
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

Representative Stream assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 204**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 339**, entitled:

An act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 339, Page 4, Section 392.460, Lines 24-28 of said page, by striking all of said lines and inserting in lieu thereof the following:

"providing local voice service there, and either:

(1) The owner or developer requests in writing that the local exchange carrier make local voice service available to occupants of the real property and the owner or developer confirms in writing that all conditions described in subsections 3 and 5 of this section have ceased to exist at the property; or

(2) A petition is submitted to the local exchange carrier by at least fifty percent plus one of the residents of the real property requesting that the local exchange carrier make local voice service available to the residents and the petition confirms in writing that all conditions described in subsections 3 and 5 of this section have ceased to exist at the property;

the carrier of last resort obligation under this section shall again"; and

Further amend said bill and section, Page 5, Line 1 of said page, by striking all of said line; and

Further amend Lines 17-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

"carrier shall have a reasonable period of time, but not to exceed one hundred eighty days, following the request or petition under this subsection to provide local voice service."; and

Further amend said bill and section, Page 7, Line 22 of said page, by inserting after the word "and" the following:

"the portion of"; and

Further amend Line 24 of said page, by inserting after the word "county" the following:

"that is located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants"; and

Further amend said bill and section, Page 8, Lines 1-8 of said page, by striking all of said lines; and renumbering the remaining subsection accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 68, as amended**, and requests the House to recede from its position and take up and pass **SCS SB 68**.

HOUSE BILL WITH SENATE AMENDMENTS

SS HB 339, as amended, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **SS HB 339, as amended**, was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Carter	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Lair	Lampe	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Pace	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon

Stream	Talboy	Thomson	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 041

Anders	Atkins	Aull	Black	Carlson
Casey	Conway 27	Ellinger	Fallert	Harris
Hodges	Hughes	Hummel	Kander	Kirkton
Kratky	Loehner	May	McCann Beatty	McDonald
McGeoghegan	McManus	Meadows	Montecillo	Newman
Nichols	Oxford	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Webber				

PRESENT: 001

Taylor

ABSENT WITH LEAVE: 015

Cox	Dieckhaus	Franz	Funderburk	Jones 63
Koenig	Lant	Lasater	McNeil	Phillips
Ruzicka	Sater	Scharnhorst	Torpey	Wright

VACANCIES: 003

On motion of Representative Pollock, **SS HB 339, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Carter	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Korman	Lair	Lampe
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Pace	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Talboy	Thomson	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

1683 *Journal of the House*

NOES: 039

Anders	Atkins	Aull	Black	Carlson
Casey	Ellinger	Fallert	Harris	Hodges
Hughes	Hummel	Kander	Kirkton	Kratky
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Webber	

PRESENT: 001

Taylor

ABSENT WITH LEAVE: 021

Conway 27	Cox	Dieckhaus	Franz	Funderburk
Hampton	Higdon	Jones 63	Kelly 24	Koenig
Lant	Lasater	Nolte	Phillips	Ruzicka
Sater	Scharnhorst	Schatz	Swinger	Torpey
Wright				

VACANCIES: 003

Representative Stream declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 68, as amended, relating to powers of the general assembly, was taken up by Representative Diehl.

Representative Diehl moved that the House recede from its position on **HCS SCS SB 68, as amended**, and truly agree to and finally pass **SCS SB 68**.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Korman	Lair	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Schad	Schatz	Schieber	Schneider

Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 116	Conway 27	Cox	Dieckhaus	Franz
Funderburk	Hampton	Higdon	Jones 63	Koenig
Lant	Lasater	Meadows	Phillips	Ruzicka
Sater	Scharnhorst	Wallingford		

VACANCIES: 003

Representative Stream declared the bill passed.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS#2 SCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 147**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 243**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 290**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was returned **HB 889**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SS SB 360**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 70**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 73 & 47**, entitled:

An act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

With Senate Substitute Amendment No. 2 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 2 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 5 and Senate Amendment No. 6.

*Senate Substitute Amendment No. 2
for
Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Lines 5-7, by striking all of said lines and inserting in lieu thereof the following:

"develop a program to screen each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter, and then test, using a urine dipstick five panel test, each one who the department has".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Line 12 of said page, by inserting after the word "provider," the following:

"or who refuses to submit to a test,".

*Senate Amendment No. 1
to
Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Line 5, by inserting after the word "recipient" the following:

"and shall expire and be subject to renewal after a period of three years".

*Senate Amendment No. 2
to
Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Line 5, by inserting after the word "recipient" the following:

"or protective payee authorized to use the card".

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.027, Line 21, by inserting after all of said line the following:

"Section 1. All electronic benefits cards distributed to recipients of temporary assistance for needy families benefits shall have imprinted on the card a photograph of the recipient. The card shall not be accepted for use by a retail establishment if the photograph of the recipient does not match the person presenting the card."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.027, Line 8, by inserting after all of said line the following:

"2. Case workers of applicants or recipients shall be required to report or cause a report to be made to the children's division in accordance with the provisions of sections 210.109 to 210.183 for suspected child abuse as a result of drug abuse in instances where the case worker has knowledge that:

- (1) An applicant or recipient has tested positive for the illegal use of a controlled substance; or
- (2) An applicant or recipient has refused to be tested for the illegal use of a controlled substance.
3. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household."; and

Further renumber the remaining subsection accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.027, Line 3, by inserting after the word "decision" the following:

"unless such applicant or recipient, after having been referred by the department, enters and successfully completes a substance abuse treatment program and does not test positive for illegal use of a controlled substance in the six-month period beginning on the date of entry into such rehabilitation or treatment program. The applicant or recipient shall continue to receive benefits while participating in the treatment program. The department may test the applicant or recipient for illegal drug use at random or set intervals, at the department's discretion, after such period. If the applicant or recipient tests positive for the use of illegal drugs a second time, then such applicant or recipient shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 197**, entitled:

An act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 197, Page 2, Section 191.758, Lines 6-7, by striking said lines and inserting in lieu thereof the following: "**banking**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 199**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 214**, entitled:

An act to repeal sections 566.200, 566.203, 566.206, 556.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 256**, entitled:

An act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 260**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 499**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 12**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 122**, entitled:

An act to repeal section 354.535, RSMo, and to enact in lieu thereof three new sections relating to health insurance.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Jones (63).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 3:00 p.m., Monday, May 2, 2011.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Chuck Gatschenberger, District 13, hereby state and affirm that my vote as recorded on Page 1636 of the Journal of the House for Wednesday, April 27, 2011, to third read and pass House Committee Substitute for Senate Bill No. 161, was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.
Election of chair and vice-chair, interim assignments.

LOCAL GOVERNMENT

Monday, May 2, 2011, upon evening adjournment.
Committee dinner only.

TOURISM AND NATURAL RESOURCES

Tuesday, May 3, 2011, 8:30 AM House Hearing Room 3.
Public hearing will be held: SCS SB 230
Executive session will be held: SCS SB 230
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 7.
Public hearing will be held: HCR 53, SCS SBs 26 & 106
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FOURTH DAY, MONDAY, MAY 2, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 138 - Thomson
- 12 HB 491 - Diehl
- 13 HB 364 - Parkinson
- 14 HCS HB 742 - Wyatt
- 15 HCS HB 212 - Thomson
- 16 HCS HB 613 - Holsman
- 17 HB 686 - Richardson
- 18 HCS HB 688 - Pollock
- 19 HCS HB 716 - Wyatt
- 20 HCS HB 732, as amended - Brandom

1691 *Journal of the House*

- 21 HB 741 - Bernskoetter
- 22 HCS HB 811 - Talboy
- 23 HCS HB 893 - Richardson
- 24 HB 924 - Nolte
- 25 HCS HBs 504, 505 & 874 - Diehl
- 26 HB 658 - Schatz
- 27 HCS HB 707 - Brown (50)
- 28 HCS HB 999 - Schad

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 12

SENATE BILLS FOR SECOND READING

SCS SB 122

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 SJR 2 - Cox

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 3 - Diehl
- 2 HCS SS#2 SCS SB 8 - Fisher
- 3 SS SB 55 - Day
- 4 HCS SS SCS SB 58 - Denison
- 5 SB 101 - Nance
- 6 HCS SS SB 135, E.C. - Jones (89)
- 7 HCS SCS SB 163 - Thomson

- 8 HCS SB 173 - Cierpiot
- 9 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 10 HCS SCS SB 219 - Wells
- 11 HCS SB 220 - Diehl
- 12 HCS SB 282 - Dugger
- 13 SS SB 306 - Wells
- 14 HCS SCS SB 57 - Gatschenberger
- 15 SB 83 - Wells
- 16 HCS#2 SB 96 - Fitzwater
- 17 HCS SB 145 - Gatschenberger
- 18 SB 165 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger
- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, MONDAY, MAY 2, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Sam J. Hinkle, Senior Pastor, River Church, Warsaw, Missouri.

For I know the plans I have for you," declares the Lord, "plans to prosper you and not to harm you, plans to give you hope and a future. Then you will call upon me and come and pray to me, and I will listen to you. You will seek me and find me when you seek me with all your heart. (Jeremiah 29:11-13 NIV)

Will you bow your heads with me now!

Gracious Heavenly Father, we thank You for Your mercy, grace and provision for this day. Thank You for all these great statesmen and stateswomen that have been placed in this place to help lead and direct the great state of Missouri. Thank You Lord for their willingness to serve our state and our nation! For truly, their decisions will impact not only our state, but our nation, and our world! So dear Lord, lead them and show them the plans that You have for this day and time. You said in Your Word that You have, "...plans to prosper you and not harm you, plans to give you hope and a future."

Father, we pray for Missourians to keep their hope and faith in You for the future. Lord, give them peace and patience as so many changes are happening all around us. We call upon You now and come to You seeking Your will and Your way for all Missourians this day!

Lord, thank You for protecting us from all those that are seeking to destroy this great nation and its freedom! Reveal their plans and may they be thwarted.

We ask You to bless and protect all of our military at home or abroad. Bless and protect their families that are at home waiting for their safe return. God bless and receive those that have given their lives serving this nation! Thank God for all our heroes!

Again, Heavenly Father, thank You for giving these great men and women today the wisdom, the understanding, the peace, the unity and the grace to make wise decisions for this day! In the name of Jesus, we pray! Amen and Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2842 through House Resolution No. 2937

SECOND READING OF SENATE JOINT RESOLUTION

SJR 12 was read the second time.

SECOND READING OF SENATE BILL

SCS SB 122 was read the second time.

THIRD READING OF SENATE JOINT RESOLUTION

HCS#2 SJR 2, relating to elections, was taken up by Representative Cox.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Nasheed moved that pursuant to Rule 78, **HCS#2 SJR 2** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Funderburk	Hodges	McGeoghegan	Richardson
Wallingford				

VACANCIES: 003

On motion of Representative Cox, **HCS#2 SJR 2** was adopted.

On motion of Representative Cox, **HCS#2 SJR 2** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Weter

PRESENT: 000

ABSENT WITH LEAVE: 003

Hodges McGeoghegan Wallingford

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 138, relating to the School Construction Act, was taken up by Representative Thomson.

Representative Smith (150) assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 050

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Montecillo	Nasheed	Newman	Nichols

Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Black	Hodges	Holsman	McGeoghegan	Meadows
Parkinson	Schneider	Wallingford	Mr Speaker	

VACANCIES: 003

On motion of Representative Thomson, **HB 138** was ordered perfected and printed.

HCS HB 732, as amended, relating to professional registration, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 732, as amended**, was adopted.

On motion of Representative Brandom, **HCS HB 732, as amended**, was ordered perfected and printed.

HCS HBs 504, 505 & 874, relating to domestic violence, was taken up by Representative Silvey.

Representative Newman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 504, 505 & 874, Page 1, Section 43.545, Line 2, by striking the words “Missouri Crime Index” and inserting in lieu thereof the words “[Missouri Crime Index] **Crime in Missouri**”; and

Further amend said bill, Page 3, Section 211.031, Line 49, by inserting after the word “law” the following:

“;

(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than seventeen years of age”; and

Further amend said bill, Page 9, Section 455.010, Line 46, by inserting after the closing bracket “]” the following:

“who has been a victim of domestic violence”; and

Further amend said bill, Page 9, Section 455.010, Line 52, by inserting immediately after the word “filed” the following:

“or a person served on behalf of a child pursuant to section 455.503”; and

Further amend said bill, Page 9, Section 455.010, Line 61, by inserting after all of said line the following:

“455.020. 1. Any adult who has been subject to [abuse] **domestic violence** by a present or former [adult] family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such [abuse] **domestic violence** or stalking by the respondent.

2. An adult’s right to relief under sections 455.010 to 455.085 shall not be affected by his leaving the residence or household to avoid [abuse] **domestic violence**.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.”; and

Further amend said bill, Page 9, Section 455.027, Line 2, by inserting after all of said line the following:

“455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of abuse to the petitioner shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion.

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. **If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a parent or guardian of the respondent, or upon a guardian ad litem appointed by the court.**

3. If an ex parte order is entered and the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent in the absence of a parent or guardian.”; and

Further amend said bill, Page 16, Section 455.085, Line 50, by inserting immediately after the word “the” the word “**circuit**”; and

Further amend said bill and section, Line 63, by striking the words “**state or municipal**” and inserting in lieu thereof the word “**circuit**”; and

Further amend said bill, Page 17, Section 455.200, Line 15, by inserting after all of said line the following:

“455.505. 1. An order of protection for a child who has been subject to [abuse] **domestic violence** by a present or former adult household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such [abuse] **domestic violence** by the respondent.

2. A child’s right to relief under sections 455.500 to 455.538 shall not be affected by his leaving the residence or household to avoid [abuse] **domestic violence**.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties.”; and

Further amend said bill, Page 17, Section 455.513, Line 3, by inserting immediately after the word “made” the following:

“**or that the respondent is less than seventeen years of age**”; and

Further amend said section, Line 17, by inserting at the end of said line the following:

“**Service of process shall be made pursuant to section 455.035. The court shall appoint a guardian ad litem for any such respondent in the absence of a parent or guardian.**”; and

Further amend said bill, Page 22, Section 455.549, Line 11, by inserting after all of said line the following:

“455.800. In all proceedings pursuant to subsection 3 of section 455.035 or subsection 4 of section 455.513, the records of the juvenile court shall be kept confidential and may be open to inspection without a court order only to:

- (1) The juvenile officer;**
- (2) The officials at the child's school, law enforcement officials, prosecuting attorneys, or any person or agency having or proposed to provide care, custody, or control or to provide treatment of the child; and**
- (3) A parent or guardian of or court appointed guardian ad litem for the child.”; and**

Further amend said bill, Page 23, Section 565.074, Line 27, by inserting after all of said line the following:

“589.683. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under sections 589.660 to 589.681 shall automatically sunset six years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 589.660 to 589.681 shall automatically sunset twelve years after the effective date of the reauthorization of sections 589.660 to 589.681; and

(3) Sections 589.660 to 589.681 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under sections 589.660 to 589.681 is sunset.] Section 23.253 of the Missouri sunset act shall not apply to any program established pursuant to sections 589.660 to 589.681.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Newman, **House Amendment No. 1** was adopted.

Representative Kander offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 504, 505 & 874, Page 23, Section 565.074, Line 27, by inserting after all of said section and line the following:

“589.683. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under sections 589.660 to 589.681 shall automatically sunset six years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 589.660 to 589.681 shall automatically sunset twelve years after the effective date of the reauthorization of sections 589.660 to 589.681; and

(3) Sections 589.660 to 589.681 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under sections 589.660 to 589.681 is sunset] Section 23.253 of the Missouri sunset act shall not apply to any program established pursuant to sections 589.660 to 589.681.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kander, **House Amendment No. 2** was adopted.

On motion of Representative Silvey, **HCS HBs 504, 505 & 874, as amended**, was adopted.

On motion of Representative Silvey, **HCS HBs 504, 505 & 874, as amended**, was ordered perfected and printed.

HB 658, relating to the Meth Lab Elimination Act, was taken up by Representative Schatz.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 658, Page 13, Section 195.017, Line 433, by deleting all of said line and inserting in lieu thereof the following:

"(8) Any compound, mixture, or preparation, which is not in liquid or liquid-filled gel capsule form, containing any detectable quantity of"; and

Further amend said bill, Page 14, Section 195.017, Line 442, by deleting all of said line and inserting in lieu thereof the following:

", preparation, which is not in liquid or liquid-filled gel capsule form, containing any detectable quantity of ephedrine, phenylpropanolamine, or"; and

Further amend said bill, Pages 18 to 20, Section 195.017, Lines 602 to 659, by deleting all of said lines and inserting in lieu thereof the following:

"11. If any compound, mixture, or preparation [as specified in subdivision (3) of subsection 10 of this section], **which is in liquid or liquid-filled gel capsule form, containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers,** is dispensed, sold, or distributed in a pharmacy without a prescription:

(1) All packages of any compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician; and

(2) Any person purchasing, receiving or otherwise acquiring any compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least eighteen years of age; and

(3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require any person, prior to their purchasing, receiving or otherwise acquiring such compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, to furnish suitable photo identification that is issued by a state or the federal government or a document that, with respect to identification, is considered acceptable and showing the date of birth of the person;

(4) The seller shall deliver the product directly into the custody of the purchaser.

12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall implement and maintain an electronic log of each transaction. Such log shall include the following information:

(1) The name, address, and signature of the purchaser;

(2) The amount of the compound, mixture, or preparation purchased;

(3) The date and time of each purchase; and

(4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy technician who dispensed the compound, mixture, or preparation to the purchaser.

13. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation [as specified in subdivision (3) of subsection 10 of this section], **which is in liquid or liquid-filled gel capsule form, containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers,** in accordance with transmission methods and frequency established by the department by regulation;

14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities greater than those specified in this chapter.

15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products, **which are in liquid or liquid filled gel capsule form**, in a pharmacy shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

16. Any person who knowingly or recklessly violates the provisions of subsections 11 to 15 of this section is guilty of a class A misdemeanor.

17. The scheduling of substances specified in subdivision [(3) of subsection 10] **(8) of subsection 6** of this section and subsections 11, 12, 14, and 15 of this section shall not apply to [any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to] any compound, mixture, or preparation specified in subdivision [(3) of subsection 10] **(8) of subsection 6** of this section which must be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

18. The manufacturer of a drug product or another interested party may apply with the department of health and senior services for an exemption from this section. The department of health and senior services may grant an exemption by rule from this section if the department finds the drug product is not used in the illegal manufacture of methamphetamine or other controlled or dangerous substances. The department of health and senior services shall rely on reports from law enforcement and law enforcement evidentiary laboratories in determining if the proposed product can be used to manufacture illicit controlled substances.

19. The department of health and senior services shall revise and republish the schedules annually.

20. The department of health and senior services shall promulgate rules under chapter 536 regarding the security and storage of Schedule V controlled substances, as described in subdivision [(3) of subsection 10] **(8) of subsection 6** of this section, for distributors as registered by the department of health and senior services.

21. Logs of transactions required to be kept and maintained by this section and section 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs.

22. This section shall be known as the "Meth Lab Elimination Act".; and

Further amend said bill, Page 20, Section 195.417, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"195.417. 1. The limits specified in this section shall not apply to any"; and

Further amend said bill, Page 20, Section 195.417, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"of any drug product, **which is in liquid or liquid-filled gel capsule form**, containing any detectable amount of ephedrine,"; and

Further amend said bill, Page 20, Section 195.417, Line 18, by deleting all of said line and inserting in lieu thereof the following:

"than the following amount: any number of packages of any drug product, **which is in liquid or liquid-filled gel capsule form**,"; and

Further amend said bill, Page 20, Section 195.417, Line 27, by deleting all of said line and inserting in lieu thereof the following:

"4. All packages of any compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, containing any"; and

Further amend said bill, Page 20, Section 195.417, Line 35, by deleting all of said line and inserting in lieu thereof the following:

"compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, as specified in this section in accordance with"; and

Further amend said bill, Page 21, Section 195.417, Line 47, by deleting all of said line and inserting in lieu thereof the following:

"for sale pseudoephedrine and ephedrine products **which are in liquid or liquid-filled gel capsule form**, except those that are excluded"; and

Further amend said bill, Page 21, Section 195.417, Line 52, by deleting all of said line and inserting in lieu thereof the following:

"of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Schad offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 658, Page 21, Section 195.417, Line 52, by inserting at the end of said section and line the following:

"Section B. The amendments to sections 195.017 and 195.417 of Section A of this act shall expire on August 28, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

HB 658, as amended, was laid over.

HCS HB 613, relating to the Renewable Energy Act, was taken up by Representative Holsman.

Representative Holsman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 613, Page 1, Section 393.1405, Line 5, by deleting all of said line and inserting in lieu thereof the following: "**for Missouri customers**"; and

Further amend said bill, Page 2, Section 393.1405, Line 23, by inserting after all of said line the following:

"(10) "Professional forester", any individual who holds a bachelor of science degree in forestry from a society of American Foresters accredited college or university with a minimum of two years of professional management experience;"; and

Further amend said bill, Page 2, Section 393.1405, Line 24, deleting the number **"(10)"** and inserting in lieu thereof the number **"(11)"**; and

Further amend said bill, Page 2, Section 393.1405, Line 27, by deleting the number **"(11)"** and inserting in lieu thereof the number **"(12)"**; and

Further amend said bill, Page 3, Section 393.1405, Lines 52 and 53, by deleting all of said lines and inserting in lieu thereof the following:

"(iv) Wood chips, pellets, briquettes, wood wastes, or woody energy crops;"; and

Further amend said bill, Page 3, Section 393.1405, Line 84, by deleting the number "(12)" and inserting in lieu thereof the number "(13)"; and

Further amend said bill, Page 3, Section 393.1405, Line 85, by deleting all of said line and inserting in lieu thereof the following:

"sections 393.1400 to 393.1445;

(14) "The annual value of any renewable energy purchased or produced by the electric utility", the annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 shall for each hour of the annual period be calculated by multiplying the energy produced from such resources in that hour by the actual wholesale price of energy in the electric utility's service territory as reflected by the regional transmission organization's real time hourly energy market prices within which the electric utility operates for that hour and totaling those products for the entire annual period. However, no such calculation or reduction shall be applied to dollars spent by utilities in meeting the requirement of sections 393.1415 and 393.1420."; and

Further amend said bill, Page 4, Section 393.1410, Line 17, by deleting "\$2.29 billion" and inserting in lieu thereof "\$780 million"; and

Further amend said bill, Page 4, Section 393.1410, Line 20, by deleting all of said line and inserting in lieu thereof the following:

"(c) By December 31, 2020: one hundred forty-five megawatts;

(4) An electric utility with total retail Missouri revenues as of December 31, 2010, of less than seven hundred eight million dollars that owns renewable generation providing delivered energy, or purchases delivered energy from renewable generation, or a combination thereof, totaling at least one hundred forty-five megawatts by December 31, 2011, shall not be required to provide additional renewable generation or purchase additional delivered energy to comply with this section."; and

Further amend said bill, Page 4, Section 393.1410, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"index, for each of the separate time periods in subsection 1 of this section, then the megawatts of new renewable generation prescribed for that time period by subsection 1 of this"; and

Further amend said bill, Pages 4 and 5, Section 393.1410, Lines 28 to 38, by deleting all of said lines and inserting in lieu thereof the following:

"3. Notwithstanding any provision of law to the contrary, the following limitations on rate impact shall apply:

(1) Notwithstanding any provision of the law to the contrary, the annual net cost during any calendar year to any billing account that experienced a billing demand of five thousand kilowatts or more during the preceding calendar year, and to any interstate pipeline pumping station regardless of size, shall not be more than one percent higher than the cost would have been without the renewable energy mandates set forth in sections 393.1400 to 393.1445, where such impact is measured in accordance with subsection 5 of this section;

(2) In addition, the one percent limitation shall apply to any other billing account of an entity qualifying under subdivision (1) of this subsection where that account consumed five million kilowatts or more during the preceding calendar year, and also to any billing account consuming more than five million kilowatts per year that belongs to a parent, subsidiary, or affiliate of the entity responsible for paying the billings for the account qualifying in subdivision (1) of this subsection;

(3) To qualify for the limitation in subdivision (2) of this subsection, the entity responsible for the billing account shall establish the existence of the required corporate relationship to the satisfaction of the electric utility.

4. In addition, the net cost during any calendar year to any billing account as measured in accordance with subsection 5 of this section, of a utility's compliance with the renewable mandate shall not exceed one hundred thousand dollars."; and

Further amend said bill, Page 5, Section 393.1410, Line 41, by inserting after the word "**determined**" the words "**on an annual basis**"; and

Further amend said bill, Page 5, Section 393.1410, Line 57, by inserting after "**393.1445**" the words "**(excluding sections 393.1415 and 393.1420)**"; and

Further amend said bill, Page 5, Section 393.1410, Line 61, by inserting after the word "**determined**" the words "**on an annual basis**"; and

Further amend said bill, Page 6, Section 393.1410, Line 77, by inserting after "**393.1445**" the words "**(excluding sections 393.1415 and 393.1420)**"; and

Further amend said bill, Page 6, Section 393.1410, Lines 79 to 85, by deleting all of said lines and inserting in lieu thereof the following:

"6. An electric utility shall pay penalties of two thousand dollars per day for failure to meet the nameplate amounts specified in subsection 1 of this section. Any such monetary fine shall be distributed to the public schools under section 7, article IX of the Constitution of Missouri. An electric utility shall be excused from this subsection if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated."; and

Further amend said bill, Page 6, Section 393.1410, Lines 86 to 90, by deleting all of said lines; and

Further amend said bill, Page 6, Section 393.1410, Line 91, by deleting the number "**8.**" and inserting the number "**7.**"; and

Further amend said bill, Page 6, Section 393.1410, Line 94, by deleting all of said line and inserting in lieu thereof the following:

"8. In the event the federal government enacts by statute and/or rule any"; and

Further amend said bill, Page 6, Section 393.1410, Line 100, by inserting after all of said line the following:

"9. For purposes of subsection 3 of this section, the electric utility shall make a good faith effort to adjust its billings to comply with the rate impact limitations in subsections 3 and 4 of this section. Within ninety days of the end of each calendar year, the electric utility shall calculate the actual rate impact and reimburse any excess collection by means of a bill credit, which credit is subject to subsection 1 of section 393.1430."; and

Further amend said bill, Page 7, Section 393.1410, Line 110, by inserting after all of said line the following:

"11. Any new renewable generation within the state of Missouri shall be given a ten percent credit for purposes of compliance with sections 393.1400 to 393.1445."; and

Further amend said bill, Page 7, Section 393.1410, Line 111, by deleting the number "**11.**" and inserting the number "**12.**"; and

Further amend said bill, Page 7, Section 393.1410, Line 111, by inserting after the word "**biomass**" the words "**in Missouri**"; and

Further amend said bill, Page 7, Section 393.1410, Line 114, by inserting after the word "**biomass**" the words "**in Missouri**"; and

Further amend said bill, Page 7, Section 393.1410, Line 115, by inserting after the word "**biomass**" the words "**in Missouri**"; and

Further amend said bill, Page 7, Section 393.1410, Lines 117 to 121, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Harvest of woody biomass in Missouri shall be conducted to a site specific harvest plan prepared as part of a forest management plan for long-term forest sustainability developed by a professional forester."; and

Further amend said bill, Page 7, Section 393.1410, Line 123, by deleting all of said line and inserting in lieu thereof the following:

"third-party, professional foresters at the harvest site using a specified sampling intensity"; and

Further amend said bill, Page 7, Section 393.1415, Line 1, by deleting the words **"up to"** and inserting in lieu thereof the word **"of"**; and

Further amend said bill, Page 7, Section 393.1415, Line 4, by inserting after the word **"section"** the word **", provide"**; and

Further amend said bill, Page 7, Section 393.1415, Line 5, by deleting the words **"Provide up to a maximum of thirteen"** and inserting the word **"Thirteen"**; and

Further amend said bill, Page 7, Section 393.1415, Line 6, by inserting after the word **"its"** the words **"net-metered"**; and

Further amend said bill, Page 7, Section 393.1415, Line 9, by deleting the words **"Provide up to a maximum of seven"** and inserting the word **"Seven"**; and

Further amend said bill, Page 7, Section 393.1415, Line 13, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 19, by inserting after the word **"section"** the word **", provide"**; and

Further amend said bill, Page 8, Section 393.1415, Line 20, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 21, by inserting after the word **"its"** the words **"net-metered"**; and

Further amend said bill, Page 8, Section 393.1415, Line 24, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 28, by deleting the words **"Provide up to a maximum of one"** and inserting the word **"One"**; and

Further amend said bill, Page 8, Section 393.1415, Line 33, by deleting **"\$2.29 billion"** and inserting in lieu thereof **"\$780 million"**; and

Further amend said bill, Page 8, Section 393.1415, Line 34, by inserting after the word **"section"** the word **", provide"**; and

Further amend said bill, Page 8, Section 393.1415, Line 35, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 36, by inserting after the word **"its"** the words **"net-metered"**; and

Further amend said bill, Page 8, Section 393.1415, Line 39, by deleting the words "**Provide up to a maximum of two**" and inserting the word "**Two**"; and

Further amend said bill, Page 8, Section 393.1415, Line 43, by deleting the words "**Provide up to a maximum of one**" and inserting the word "**One**"; and

Further amend said bill, Page 8, Section 393.1415, Line 44, by inserting after the word "**its**" the words "**net-metered**"; and

Further amend said bill, Page 8, Section 393.1415, Line 49, by inserting after the word "**section**" the word "**, provide**"; and

Further amend said bill, Page 8, Section 393.1415, Line 50, by deleting the words "**Provide up to a maximum of one**" and inserting the word "**One**"; and

Further amend said bill, Page 9, Section 393.1415, Line 54, by deleting the words "**Provide up to a maximum of one**" and inserting the word "**One**"; and

Further amend said bill, Page 9, Section 393.1415, Line 58, by deleting the words "**Provide up to a maximum of five**" and inserting the word "**Five**"; and

Further amend said bill, Page 9, Section 393.1415, Line 63, by deleting all of said line and inserting in lieu thereof the following:

"at the discretion of the utility be treated as part of the electric utility's net capital investments in renewable energy resources for purposes of determining the appropriate RES rate under sections 393.1425 to 393.1443."; and

Further amend said bill, Page 9, Section 393.1415, Line 64, by deleting all of said line and inserting in lieu thereof the following:

"3. A net-metered customer shall be eligible for a financial incentive"; and

Further amend said bill, Page 9, Section 393.1415, Line 66, by inserting after "**installed,**" the word "**and**"; and

Further amend said bill, Page 9, Section 393.1415, Line 66, by deleting the words "**up to an**" and inserting the words "**the next**"; and

Further amend said bill, Page 9, Section 393.1415, Line 75, by deleting the word "**practice**" and inserting the word "**practices**"; and

Further amend said bill, Page 9, Section 393.1415, Line 81, by inserting after the word "**years**" the words "**but no amounts shall be carried forward beyond December 31, 2021**"; and

Further amend said bill, Page 10, Section 393.1415, Lines 94 to 99, by deleting all of said lines and inserting in lieu thereof the following:

"6. Each electric utility shall make available to its retail customers a standard rebate offer of at least three dollars per installed watt for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, that become operational after August 28, 2011, and prior to January 1, 2012. All such amounts paid by an electric utility to a customer under this subsection shall be applied against the annual amount of financial incentive investments for calendar year 2012 as specified in subsection 1 of this section."; and

Further amend said bill, Page 10, Section 393.1420, Line 8, by deleting all of said line and inserting in lieu thereof the following:

"3. A net-metered customer shall be eligible for a financial incentive"; and

Further amend said bill, Page 10, Section 393.1420, Line 19, by inserting after the word "**years**" the words "**but no amounts shall be carried forward beyond December 31, 2015**"; and

Further amend said bill, Page 10, Section 393.1425, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"393.1425. 1. As used in sections 393.1410 and 393.1425 to 393.1435, the following words and phrases"; and

Further amend said bill, Page 11, Section 393.1425, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"(1) "Accumulation period", a period no greater than twelve months preceding a filing to establish or"; and

Further amend said bill, Page 11, Section 393.1425, Lines 6 to 8, by deleting all of said lines and inserting in lieu thereof the following:

"(2) "RES capital costs", the depreciation expense and property taxes of the electric utility that are associated with the electric utility's capital investments in renewable energy resources that provide delivered energy, including capital investments made in compliance"; and

Further amend said bill, Page 11, Section 393.1425, Line 14, by inserting after "**rate**" the word "**, less**"; and

Further amend said bill, Page 11, Section 393.1425, Line 14, by inserting after all of said line the following:

**"(d) The annual value of any renewable energy purchased or produced by the electric utility;
(4) RES cost recovery mechanism" or "RCRM", the mechanism approved by the commission to allow an electric utility to recover all costs of compliance with the RES"; and**

Further amend said bill, Page 11, Section 393.1425, Line 15, by deleting the number "**(4)**" and inserting in lieu thereof the number "**(5)**"; and

Further amend said bill, Page 11, Section 393.1425, Line 17, by deleting the year "**2012**" and inserting in lieu thereof the year "**2011**"; and

Further amend said bill, Page 11, Section 393.1425, Line 27, by deleting the words "**renewable energy standard**" and inserting in lieu thereof "**RES**"; and

Further amend said bill, Page 11, Section 393.1425, Line 28, by deleting the words "**Renewable Energy Standard**" and inserting in lieu thereof "**RES**"; and

Further amend said bill, Page 11, Section 393.1425, Line 29, by inserting after all of said line the following:

"(6) "RES rate", a rate approved by the commission for recovery of RES costs"; and

Further amend said bill, Page 11, Section 393.1425, Line 30, by deleting the number "**(5)**" and inserting in lieu thereof the number "**(7)**"; and

Further amend said bill, Page 11, Section 393.1425, Lines 31 to 37, by deleting all of said lines and inserting in lieu thereof the following:

"by: the electric utility's net capital investments in renewable energy resources that provide delivered energy, including capital investments made to comply with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445, on the electric utility's books as of the end of the accumulation period. The income taxes related to the RES return shall be included;"; and

Further amend said bill, Page 12, Section 393.1425, Line 38, by deleting the number "(6)" and inserting in lieu thereof the number "(8)"; and

Further amend said bill, Page 12, Section 393.1425, Line 38, by inserting after the second occurrence of "RES" the word "rate"; and

Further amend said bill, Page 12, Section 393.1425, Line 39, by inserting after all of said line the following:

"2. All RES costs incurred under paragraph (a) or (b) of subdivision (5) of subsection 1 of this section, regardless of contract term, shall be recovered in the electric utility's RES rate. That is, where the electric utility enters into contracts under subsection 1 of section 393.1410 that extend beyond the indicated dates, then all RES costs as defined in this section shall be included in the RES rate."; and

Further amend said bill, Page 12, Section 393.1430, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"tariffs with the commission to establish a RCRM or to change a RES rate that will allow for the"; and

Further amend said bill, Page 12, Section 393.1430, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"393.1410. A RES rate and any future changes thereto shall be calculated and implemented in"; and

Further amend said bill, Page 12, Section 393.1430, Line 10, by deleting all of said line and inserting in lieu thereof the following:

"2. The commission shall not approve a RCRM or a RES rate for any electric utility that has"; and

Further amend said bill, Page 12, Section 393.1430, Lines 14 to 16, by deleting all of said lines and inserting in lieu thereof the following:

"3. In no event shall an electric utility collect a RES rate or continue to use an approved RCRM for a period exceeding five years unless the electric utility has filed for or is the subject of a new general rate proceeding where the terms of the RCRM are reviewed by the commission; provided that a RES rate that is approved in accordance with section 393.1435 may be collected until the effective date of new rate"; and

Further amend said bill, Page 12, Section 393.1435, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"commission seeking to establish or change a RES rate, it shall submit proposed tariffs and"; and

Further amend said bill, Page 12, Section 393.1435, Line 3, by inserting after "RES" the word "rate"; and

Further amend said bill, Page 12, Section 393.1435, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"proposed RES rate tariff, and its supporting documentation."; and

Further amend said bill, Page 12, Section 393.1435, Line 7, by deleting the word "**tariff**" and inserting in lieu thereof the word "**rate**"; and

Further amend said bill, Page 12, Section 393.1435, Line 10, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 12, Section 393.1435, Line 12, by inserting after the word "**underlying**" the word "**RES**"; and

Further amend said bill, Page 12, Section 393.1435, Line 13, by deleting the word "**surcharge**" and inserting in lieu thereof the words "**RES rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 16, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 18, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 23, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 27, by deleting the words "**pretax revenue**" and inserting in lieu thereof the words "**RES rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 48, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 50, by deleting the word "**pretax**" and inserting in lieu thereof the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 55, by inserting after "**RES**" the word "**revenue**"; and

Further amend said bill, Page 14, Section 393.1435, Line 57, by inserting after the word "**charge**" the word "**revenue**"; and

Further amend said bill, Page 14, Section 393.1435, Line 58, by deleting "**RES**" and inserting in lieu thereof "**RCRM**"; and

Further amend said bill, Page 14, Section 393.1435, Line 59, by inserting after the words "**between the**" the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 60, by inserting after "**application of the RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 60, by deleting the word "**pretax**" and inserting in lieu thereof the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 64, by deleting "**RES**" and inserting the word "**RCRM**"; and

Further amend said bill, Page 14, Section 393.1435, Line 69, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 71, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 73, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 74, by deleting the word "**pretax**" and inserting in lieu thereof the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 75, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 79, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 84, by deleting all of said line and inserting in lieu thereof the following:

"included in a RES rate, the electric utility shall change its RES rate in the future as necessary to"; and

Further amend said bill, Page 15, Section 393.1435, Line 107, by inserting after all of said line the following:

"13. Alternatively, an electric utility may recover RES compliance costs without use of the RES cost recovery mechanism, through rates established in a general rate proceeding. In the interim between general rate proceedings, the electric utility may defer the costs in a regulatory asset account, and monthly calculate a carrying charge on the balance in that regulatory asset account equal to its short-term cost of borrowing. All questions pertaining to rate recovery of the RES compliance costs in a subsequent general rate proceeding will be reserved to that proceeding, including the prudence of the costs for which rate recovery is sought and the period of time over which any costs allowed rate recovery will be amortized. Any rate recovery granted to RES compliance costs under this subsection shall be fully subject to the retail rate impact requirements of the RES."; and

Further amend said bill, Page 16, Section 393.1443, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following:

"sections 393.1400 to 393.1440, and the Missouri public service commission shall allow for such recovery under sections 393.1400 to 393.1440."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 1** was adopted.

HCS HB 613, as amended, was laid over.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1010 - General Laws

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SCS SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SS SCS SB 132**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 351**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 116 & 316**, entitled:

An act to repeal sections 32.028, 32.087, 32.105, 32.110, 32.115, 32.117, 32.120, 99.1205, 100.286, 100.297, 105.716, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.352, 135.460, 135.481, 135.484, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 136.055, 137.1018, 143.119, 144.030, 144.062, 144.083, 168.071, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.545, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof eighty-nine new sections relating to collection of state money, with a penalty provision and an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 15, Senate Amendment No. 1 to Senate Amendment No. 16, Senate Amendment No. 16, as amended, and Senate Amendment No. 17.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 294, Section 620.2015, Line 12 of said page, by striking "subdivision (5) of subsection 3" and inserting in lieu thereof the following:

"subsection 7"; and

Further amend Line 13 of said page, by striking "620.2010" and inserting in lieu thereof the following:

"620.2020".

*Senate Amendment No. 1
to
Senate Amendment No. 2*

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 29, Section 348.265, Line 26, by inserting immediately after the word "July 1, 2011," the following:

" subject to appropriation,"; and further amend Line 28, by inserting immediately after the word "amount" the following **"not to exceed an amount"**.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 203, Section 168.071, Line 4, by inserting after all of said line the following:

"196.1109. All moneys that are appropriated by the general assembly from the life sciences research trust fund shall be appropriated to the life sciences research board to increase the capacity for quality of life sciences research at public and private not-for-profit institutions in the state of Missouri and to thereby:

(1) Improve the quantity and quality of life sciences research at public and private not-for-profit institutions, including but not limited to basic research (including the discovery of new knowledge), translational research (including translating knowledge into a usable form), and clinical research (including the literal application of a therapy or intervention to determine its efficacy), including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and plant sciences, including but not limited to nutrition and food safety; and

(2) Enhance technology transfer and technology commercialization derived from research at public and private not-for-profit institutions within the centers for excellence. For purposes of sections 196.1100 to 196.1130, "technology transfer and technology commercialization" includes stages of the regular business cycle occurring after research and development of a life science technology, including but not limited to reduction to practice, proof of concept, and achieving federal Food and Drug Administration, United States Department of Agriculture, or other regulatory requirements in addition to the definition in section 348.251. Funds received by the board may be used for purposes authorized in sections 196.1100 to 196.1130 and shall be subject to the restrictions of sections 196.1100 to 196.1130, including but not limited to the costs of personnel, supplies, equipment, and renovation or construction of physical facilities; provided that in any single fiscal year no more than [ten] **thirty** percent of the moneys appropriated shall be used for the construction of physical facilities and further provided that in any fiscal year **up to** eighty percent of the moneys shall be appropriated to build research capacity at public and private not-for-profit institutions and **at least** twenty percent **and no more than fifty percent** of the moneys shall be appropriated for grants to public or private not-for-profit institutions to promote life science technology transfer and technology commercialization. Of the moneys appropriated to build research capacity, twenty percent of the moneys shall be appropriated to promote the development of research of tobacco-related illnesses.

196.1115. 1. The moneys appropriated to the life sciences research board that are not distributed by the board in any fiscal year to a center for excellence or a center for excellence endorsed program pursuant to section 196.1112, if any, shall be held in reserve by the board or shall be awarded on the basis of peer review panel recommendations for capacity building initiatives proposed by public and private not-for-profit academic, research, or health care institutions or organizations, or individuals engaged in competitive research in targeted fields consistent with the provisions of sections 196.1100 to 196.1130.

2. The life sciences research board may, in view of the limitations expressed in section 196.1130:

(1) Award and enter into grants or contracts relating to increasing Missouri's research capacity at public or private not-for-profit institutions;

(2) Make provision for peer review panels to recommend and review research projects;

(3) Contract for [administrative and] support services;

(4) Lease or acquire facilities and equipment;

(5) Employ administrative staff; and

(6) Receive, retain, hold, invest, disburse or administer any moneys that it receives from appropriations or from any other source.

3. The Missouri technology corporation, established under section 348.251, shall serve as the administrative agent for the life sciences research board.

4. The life sciences research board shall utilize as much of the moneys as reasonably possible for building capacity at public and private not-for-profit institutions to do research rather than for administrative expenses. The board shall not in any fiscal year expend more than two percent of the total moneys appropriated to it and of the moneys that it has in reserve or has received from other sources for its own administrative expenses for appropriations over twenty million dollars; three percent for appropriations less than twenty million dollars but more than fifteen million dollars; four percent for appropriations less than fifteen million dollars but more than ten million dollars; five percent for appropriations less than ten million dollars; provided, however, that the general assembly by appropriation from the life sciences research trust fund may authorize a limited amount of additional moneys to be expended for administrative costs."; and

Further amend said bill, Page 216, Section 253.559, Line 27, by inserting after all of said line the following:

"348.250. Sections 348.250 to 348.275 shall be known and may be cited as the "Missouri Science and Innovation Reinvestment Act".

348.251. 1. As used in sections 348.251 to 348.266, the following terms mean:

(1) **"Applicable percentage"**, six percent for the fiscal year beginning July 1, 2012, and the next fourteen consecutive fiscal years; five percent for the immediately subsequent five fiscal years; and four percent for the immediately subsequent five fiscal years;

(2) **"Applied research"**, any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue of science and innovation, including but not limited to translational research;

(3) **"Base year"**, fiscal year ending June 30, 2011;

(4) **"Base year gross wages"**, gross wages paid by science and innovation companies to science and innovation employees during fiscal year ending June 30, 2011;

(5) **"Basic research"**, any original investigation for the advancement of scientific or technical knowledge of science and innovation;

(6) **"Commercialization"**, any of the full spectrum of activities required for a new technology, product, or process to be developed from the basic research or conceptual stage through applied research or development to the marketplace, including without limitation, the steps leading up to and including licensing, sales, and service;

(7) **"Corporation"**, the Missouri technology corporation established under this section;

(8) **"Fields of applicable expertise"**, any of the following fields: science and innovation research, development, or commercialization, including basic research and applied research; corporate finance, venture capital, and private equity related to science and innovation; the business and management of science and innovation companies; education related to science and innovation; or civic or corporate leadership in areas related to science and innovation;

(9) **"Inherent conflict of interest"**, a fundamental or systematic conflict of interest that prevents a person from serving as a disinterested director of the corporation and from routinely performing his or her duties as a director of the corporation;

(10) **"NAICS industry groups" or "NAICS codes"**, the North American Industry Classification System developed under the auspices of the United States Office of Management and Budget and adopted in 1997, as may be amended, revised, or replaced by similar classification systems for similar uses from time to time;

(11) **"Science and innovation"**, the use of compositions and methods in research, development, and manufacturing processes for such diverse areas as agriculture-biotechnology, animal health, biochemistry, bioinformatics, energy, environment, forestry, homeland security, information technology, medical devices, medical diagnostics, medical instruments, medical therapeutics, microbiology, nanotechnology, pharmaceuticals, plant biology, and veterinary medicine, including future developments in such areas;

(12) **"Science and innovation company"**, a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, person, group, or other entity that is:

(a) Engaged in the research, development, commercialization, or business of science and innovation in the state, including, without limitation, research, development, or production directed toward developing or providing science and innovation products, processes, or services for specific commercial or public purposes, including hospitals, nonprofit research institutions, incubators, accelerators, and universities currently located or involved in the research, development, commercialization, or business of science and innovation in the state; or

(b) Identified by the following NAICS industry groups or NAICS codes or any amended or successor code sections covering such areas of research, development, and commercial endeavors: 3251; 3253; 3254; 3391; 51121; 54138; 54171; 62231; 111191; 111421; 111920; 111998; 311119; 311211; 311221; 311222; 311223; 325193; 325199; 325221; 325222; 325611; 325612; 325613; 325311; 325312; 325314; 325320; 325411; 325412; 325414; 333298; 334510; 334516; 334517; 339111; 339112; 339113; 339114; 339115; 339116; 424910; 541710; 621511; and 621512.

Each of the above listed four-digit and five-digit codes shall include all six-digit codes in such four-digit and five-digit industry; however, each six-digit code shall stand alone and not indicate the inclusion of other omitted six-

digit codes that also are subsets of the pertinent four-digit or five-digit industry to which the included six-digit code belongs;

(13) "Science and innovation employee", any employee, officer, or director of a science and innovation company who is a state income taxpayer and any employee of a university who is associated with or supports the research, development, commercialization, or business of science and technology in the state and is obligated to pay state income tax to the state;

(14) "Technology application", the introduction and adaptation of refined management practices in fields such as scheduling, inventory management, marketing, product development, and training in order to improve the quality, productivity and profitability of an existing firm. Technology application shall be considered a component of business modernization;

[(2)] "Technology commercialization", the process of moving investment-grade technology from a business, university or laboratory into the marketplace for application;

(3)] (15) "Technology development", strategically focused research directed at developing investment-grade technologies which are important for market competitiveness.

2. The governor may, on behalf of the state and in accordance with chapter 355, RSMo, establish a private not-for-profit corporation named the "Missouri Technology Corporation", to carry out the provisions of sections 348.251 to 348.266. As used in sections [348.251 to 348.266] **348.250 to 348.275** the word "corporation" means the Missouri technology corporation authorized by this section. Before certification by the governor, the corporation shall conduct a public hearing for the purpose of giving all interested parties an opportunity to review and comment [upon] **on** the articles of incorporation, bylaws and [method] **methods** of operation of the corporation. Notice of the hearing shall be given at least fourteen days prior to the hearing.

348.256. 1. The articles of incorporation [and], bylaws, **and methods of operation** of the Missouri technology corporation shall [provide that:] **be consistent with the provisions of sections 348.250 to 348.275.**

[(1)] 2. The purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and [technology] **innovation**, to promote the modernization of Missouri businesses by supporting the transfer of science, technology and quality improvement methods to the workplace[, and]; to enhance the productivity and modernization of Missouri businesses by providing leadership in the establishment of methods of technology application, technology commercialization and technology development; **to make Missouri businesses, institutions, and universities more competitive and increase their likelihood of success; to support and enhance local and regional strategies and initiatives that capitalize on the unique science and innovation assets across the state; to make Missouri a highly desirable state in which to conduct, facilitate, support, fund, and perform science and innovation research, development, and commercialization; to facilitate and effect the creation, attraction, retention, growth, and enhancement of both existing and new science and innovation companies in the state; to make Missouri a national and international leader in economic activity based on science and innovation; to enhance workforce development; to create and retain quality jobs; to advance scientific knowledge; and to improve the quality of life for the citizens of the state of Missouri in both urban and rural communities.**

[(2)] 3. The board of directors of the corporation [is] **shall be** composed of fifteen persons. The governor shall annually appoint one of its members, who must be from the private sector, as [chairman] **chairperson**. The board shall consist of the following members:

[(a)] (1) The director of the department of economic development, or the director's designee;

[(b)] (2) The president of the University of Missouri system, or the president's designee;

[(c)] (3) A member of the state senate, appointed by the president pro tem of the senate;

[(d)] (4) A member of the house of representatives, appointed by the speaker of the house;

[(e)] (5) Eleven members appointed by the governor, [two of which shall be from the public sector and nine members from the private sector who shall include, but shall not be limited to, individuals who represent technology-based businesses and industrial interests;

(f) **with the advice and consent of the senate, who are recognized for outstanding knowledge, leadership, and expertise in one or more of the fields of applicable expertise.**

Each of the directors of the corporation who is appointed by the governor shall serve for a term of four years and until a successor is duly appointed[; except that, of the directors serving on the corporation as of August 28, 1995, three directors shall be designated by the governor to serve a term of four years, three directors shall be designated to serve a term of three years, three directors shall be designated to serve a term of two years, and two directors shall be designated to serve a term of one year. Each director shall continue to serve until a successor is duly appointed by the governor;

(3) The corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(4) The corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 348.261;

(5)].

4. Any changes in the articles of incorporation or bylaws must be approved by the governor[;].

[(6) The corporation shall submit an annual report to the governor and to the Missouri general assembly. The report shall be due on the first day of November for each year and shall include detailed information on the structure, operation and financial status of the corporation. The corporation shall conduct an annual public hearing to receive comments from interested parties regarding the report, and notice of the hearing shall be given at least fourteen days prior to the hearing; and

(7)] **5. At the discretion of the state auditor**, the corporation is subject to an [annual] audit [by the state auditor] and [that] the corporation shall bear the full cost of the audit.

6. Each of the directors of the corporation provided for in subdivisions (1) and (2) of subsection 3 of this section shall remain a director until the designating individual specified in such subdivisions designates a replacement by sending a written communication to the governor and the chairperson of the board of the corporation; provided however, that if the director of economic development or the president of the University of Missouri system designates himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the director of economic development or as the president of the University of Missouri system. Each of the directors of the corporation provided for in subdivisions (3) and (4) of subsection 3 of this section shall remain a director until the appointing member of the general assembly specific in such subdivisions appoints a replacement by sending a written communication to the governor and the chairperson of the corporation board; provided however, that if the speaker of the house or the president pro tem of the senate appoints himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the speaker of the house or the president pro tem of the senate.

7. Each of the eleven members of the board appointed by the governor shall:

(1) Hold office for the term of appointment and until the governor duly appoints his or her successor; provided that if a vacancy is created by the death, permanent disability, resignation, or removal of a director, such vacancy shall become immediately effective;

(2) Be eligible for reappointment, but members of the board shall not be eligible to serve more than two consecutive four-year terms and shall not be reappointed to the board until they have not served on the board for a period of at least four interim years;

(3) Not have a known inherent conflict of interest at the time of appointment; and

(4) Not have served in an elected office or a cabinet position in state government for a period of two years prior to appointment, unless otherwise provided in this section.

8. Any member of the board may be removed by affirmative vote of eleven members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, failure to comply with the corporation's conflicts of interest policy, conviction of a felony, or for any cause that renders the member incapable of or unfit to discharge the duties of a director of the corporation.

9. The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. Unless otherwise restricted by Missouri law, the directors may participate in a meeting of the board by means of telephone conference or other electronic communications equipment whereby all persons participating in the meeting can communicate clearly with each other, and participation in a meeting in such manner will constitute presence in person at such meeting.

10. A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of more members of the board for approval or as required by law. All resolutions and orders of the board shall be recorded and authenticated by the signature of the secretary or any assistant secretary of the board.

11. Members of the board shall serve without compensation. Members of the board attending meetings of the board, or attending committee or advisory meetings thereof, shall be paid mileage and all other applicable expenses, provided that such expenses are reasonable, consistent with policies established from time to time by the board, and not otherwise inconsistent with law.

12. The board may adopt, repeal, and amend such articles of incorporation, bylaws, and methods of operation that are not contrary to law or inconsistent with sections 348.250 to 348.275, as it deems expedient for its own governance and for the governance and management of the corporation and its committees and advisory boards; provided that any changes in the articles of incorporation or bylaws approved by the board must also be approved by the governor.

13. A president shall direct and supervise the administrative affairs and the general management of the corporation. The president shall be a person of national prominence that has expertise and credibility in one or more of the fields of applicable expertise with a demonstrated track record of success in leading a mission-driven organization. The president's salary and other terms and conditions of employment shall be set by the board. The board may negotiate and enter into an employment agreement with the president of the corporation, which may provide for compensation, allowances, benefits, and expenses. The president of the corporation shall not be eligible to serve as a member of the board until two years after the end of his or her employment with the corporation. The president of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

14. The corporation may employ such employees as it may require and upon such terms and conditions as it may establish that are consistent with state and federal law. The corporation may establish personnel, payroll, benefit, and other such systems as authorized by the board, and provide death and disability benefits. Corporation employees, including the president, shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the corporation shall constitute pay from a department for purposes of accruing benefits under the Missouri state employees' retirement system. The corporation may also adopt, in accordance with requirements of the federal Internal Revenue Code of 1986, as amended, a defined contribution plan sponsored by the corporation with respect to employees, including the president, employed by the corporation. Nothing in sections 348.250 to 348.275 shall be construed as placing any officer or employee of the corporation or member of the board in the classified or the unclassified service of the state of Missouri under Missouri laws and regulations governing civil service. No employee of the corporation shall be eligible to serve as a member of the board until two years immediately following the end of his or her employment with the corporation. All employees of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

15. No later than the first day of January each year, the corporation shall submit an annual report to the governor and to the Missouri general assembly which the corporation may contract with a third party to prepare and which shall include:

- (1) A complete and detailed description of the operating and financial conditions of the corporation during the prior fiscal year;
- (2) Complete and detailed information about the distributions from the Missouri science and innovation reinvestment fund and from any income of the corporation;
- (3) Information about the growth of science and innovation research and industry in the state; and
- (4) Information regarding financial or performance audits performed in such year, including any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the corporation.

16. The corporation shall keep its books and records in accordance with generally accepted accounting procedures. Within four months following the end of each fiscal year, the corporation shall cause a firm of independent certified public accountants of national repute to conduct and deliver to the board an audit of the financial statements of the corporation and an opinion thereon, to be conducted in accordance with generally accepted audit standards, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

17. Within four months following the end of every odd numbered fiscal year, beginning with fiscal year 2016, the corporation shall cause an independent firm of national repute that has expertise in science and innovation research and industry to conduct and deliver to the board an evaluation of the performance of the corporation for the prior two fiscal years, including detailed recommendations for improving the performance of the corporation, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

18. The corporation shall provide the state auditor a copy of the financial and performance evaluations prepared under subsections 16 and 17 of this section.

19. The corporation shall have perpetual existence until an act of law expressly dissolves the corporation; provided that no such law shall take effect so long as the corporation has obligations or bonds outstanding unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the corporation, all property, funds, and assets thereof shall be vested in the state.

20. Except as provided under section 348.266, the state hereby pledges to, and agrees with, recipients of corporation funding or beneficiaries of corporation programs under sections 348.250 to 348.275 that the state shall not limit or alter the rights vested in the corporation under sections 348.250 to 348.275 to fulfill the terms of any agreements made or obligations incurred by the corporation with or to such third parties, or in any way impair the rights and remedies of such third parties until the obligations of the corporation and the state are fully met and discharged in accordance with sections 348.250 to 348.275.

21. The corporation shall be exempt from:

(1) Any general ad valorem taxes upon any property of the corporation acquired and used for its public purposes;

(2) Any taxes or assessments upon any projects or upon any operations of the corporation or the income therefrom;

(3) Any taxes or assessments upon any project or any property or local obligation acquired or used by the corporation under the provisions of sections 348.250 to 348.275, or upon income therefrom.

Purchases by the corporation to be used for its public purposes shall not be subject to sales or use tax under chapter 144. The exemptions hereby granted shall not extend to persons or entities conducting business on the corporations' property for which payment of state and local taxes would otherwise be required.

22. No funds of the corporation shall be distributed to its employees or members of the board; except that, the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to, or for, its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation.

23. The corporation shall adopt and maintain a conflicts of interest policy to protect the corporation's interests by requiring disclosure by an interested party, appropriate recusal by such person, and appropriate action by the interested party or the board where a conflict of interest may exist or arise between the corporation and a director, officer, employee, or agent of the corporation.

348.257. 1. The board shall establish an executive committee of the corporation, to be composed of the chairperson, the vice-chairperson, and the secretary of the corporation, and two additional directors. The chairperson of the corporation shall serve as the chairperson of the executive committee.

2. The executive committee, in intervals between meetings of the board, may transact any business of the board that has been expressly delegated to the executive committee by the board. If so stipulated by the board, action delegated to the executive committee may be subject to subsequent ratification by the board; provided, however that until ratified or rejected by the board, any action delegated to, and taken by, the executive committee between meetings of the board will be binding upon the corporation as if ratified, and may be relied upon by third parties.

3. The board shall establish an audit committee of the corporation, to be composed of the chairperson of the corporation and four additional directors. The secretary of the corporation shall serve as the chairperson of the audit committee. The audit committee shall be responsible for oversight of the administration of the conflicts of interest policy, working with the president of the corporation to facilitate communications with the corporation's contract auditors, and such other responsibilities delegated to it by the board.

4. The board shall establish and maintain a research alliance of Missouri to be comprised of the chief research officers, or their designee, of the state's leading research universities and a representative of other leading not-for-profit research institutes headquartered in Missouri. Members of the research alliance of Missouri shall be selected for such terms of membership under such terms and condition as the board deems necessary and appropriate to advance the purposes of sections 348.250 to 348.275 and as comparable to other similar public sector bodies. The research alliance of Missouri shall elect a chairperson on an annual basis. The research alliance of Missouri shall prepare annual reports at the direction of the corporation that:

(1) Evaluate the specific areas of Missouri's research strengths and weaknesses and outline current research priorities of the state;

(2) Evaluate the ability of each member to realign their research and development resources, policies, and practices to seize emerging opportunities;

(3) Evaluate and summarize the best national and international practices for technology commercialization of university research and describe efforts that each university member has undertaken to implement best practices, including a description of the specific outcomes university members have achieved in technology commercialization; and

(4) Describe research collaborations by and between members and identify collaboration best practices that can or should be instituted in Missouri.

5. The board may establish other committees, both permanent and temporary, as it deems necessary. Such committees may include national strategic, scientific and/or commercialization advisory boards comprised of individuals of national or international prominence in science and innovation and/or the business and commercialization of science and innovation.

6. The board may establish rules, policies, and procedures for the selection and conduct of committees and advisory boards, and the research alliance of Missouri; provided however, that the members of such committees and advisory boards agree to be bound by a conflict of interest policy consistent with the highest ethical standards that is suitable for such advisory roles and annually complete and certify to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

348.261. 1. The corporation, after being certified by the governor as provided by section 348.251, [may] **shall have all of the powers necessary or convenient to carry out the purposes and provisions of sections 348.250 to 348.275, including the powers as specified therein, and without limitation, the power to:**

(1) Establish a statewide business modernization network to assist Missouri businesses in identifying ways to enhance productivity and market competitiveness;

(2) Identify scientific and technological problems and opportunities related to the economy of Missouri and formulate proposals to overcome those problems or realize those opportunities;

(3) Identify specific areas where scientific research and technological investigation will contribute to the improvement of productivity of Missouri manufacturers and farmers;

(4) Determine specific areas in which financial investment in scientific and technological research and development from private businesses located in Missouri could be enhanced or increased if state resources were made available to assist in financing activities;

(5) Assist in establishing cooperative associations of universities in Missouri and of private enterprises for the purpose of coordinating research and development programs that will, consistent with the primary educational function of the universities, aid in the creation of new jobs in Missouri;

(6) Assist in financing the establishment and continued development of technology-intensive businesses in Missouri;

(7) Advise universities of the research needs of Missouri business and improve the exchange of scientific and technological information for the mutual benefit of universities and private business;

(8) Coordinate programs established by universities to provide Missouri businesses with scientific and technological information;

(9) Establish programs in scientific education which will support the accelerated development of technology-intensive businesses in Missouri;

(10) Provide financial assistance through contracts, grants and loans to programs of scientific and technological research and development;

(11) Determine how public universities can increase income derived from the sale or licensure of products or processes having commercial value that are developed as a result of university sponsored research programs;

(12) Contract with innovation centers, as established in section 348.271, small business development corporations, as established in sections 620.1000 to 620.1007, centers for advanced technology, as established in section 348.272, and other entities or organizations for the provision of technology application, technology commercialization and technology development services. [Such contracting procedures shall not be subject to the provisions of chapter 34; and];

(13) Make direct seed capital or venture capital investments in Missouri business investment funds or businesses [which] **that** demonstrate the promise of growth and job creation. Investments from the corporation may be in the form of debt or equity in the respective businesses;

(14) Make and execute contracts, guarantees, or any other instruments and agreements necessary or convenient for the exercise of its powers and functions;

(15) Contract for and to accept any gifts, grants, and loans of funds, property, or any other aid in any form from the federal government, the state, any state agency, or any other source, or any combination thereof, and to comply with the provisions of the terms and conditions thereof;

(16) Procure such insurance, participate in such insurance plans, or provide such self insurance or both as it deems necessary or convenient; provided however, the purchase of insurance, participation in an insurance plan, or creation of a self-insurance fund by the corporation shall not be deemed as a waiver or relinquishment of any sovereign immunity to which the corporation or its officers, directors, employees, or agents are otherwise entitled;

(17) Partner with universities or other research institutions in Missouri to attract and recruit world-class science and innovation talent to Missouri;

(18) Expend any and all funds from the Missouri science and innovation reinvestment fund and all other assets and resources of the corporation for the exclusive purpose of fulfilling any purpose, power, or duty of the corporation under sections 348.250 to 348.275, including but not limited to implementing the powers, purposes, and duties of the corporation as enumerated in this section;

(19) Participate in joint ventures and collaborate with any taxpayer, governmental body or agency, insurer, university, or college of the state, or any other entity to facilitate any activities or programs consistent with the purpose and intent of sections 348.250 to 348.275; and

(20) In carrying out any activities authorized by sections 348.250 to 348.275, the corporation provides appropriate assistance, including the making of investments, grants, and loans, and providing time of employees, to any taxpayer, governmental body, or agency, insurer, university, or college of the state, or any other entity, whether or not any such taxpayer, governmental body or agency, insurer, university, or college of the state, or any other entity, is owned or controlled in whole or in part, directly or indirectly, by the corporation.

2. The corporation shall endeavor to maximize the amount of leveraging of nonstate resources, including public and private, cash and in-kind, attained with its investments, grants, loans, or other forms of support. In the case of investments, grants, loans, or other forms of support that emphasize or are specifically intended to impact a particular Missouri county, municipality, or other geographic subdivision of the state, or are otherwise local in nature, the corporation shall give consideration and weight to local matching funds and other matching resources, public and private.

3. Except as expressly provided in sections 348.250 to 348.275, all monies earned or received by the corporation, including all funds derived from the commercialization of science and innovation products, methods, services, and technology by the corporation, or any affiliate or subsidiary thereof, or from the Missouri science and innovation reinvestment fund, shall belong exclusively to and be subject to the exclusive control of the corporation.

4. The corporation shall have all the powers of a not-for-profit corporation established under Missouri law.

5. The corporation shall assume all moneys, property, or other assets remaining with the Missouri seed capital investment board, established in section 620.641. All powers, duties, and functions performed by the Missouri seed capital investment board shall be transferred to the Missouri technology corporation.

6. The corporation shall not be subject to the provisions of chapter 34.

348.262. In order to assist the corporation in achieving the objectives identified in section 348.261, the department of economic development may contract with the corporation for activities consistent with the corporation's purpose, as specified in [section 348.256] **sections 348.250 to 348.275**. When contracting with the corporation under the provisions of this section, the department of economic development may directly enter into agreements with the corporation and shall not be bound by the provisions of chapter 34, RSMo.

348.263. 1. [The Missouri business modernization and technology corporation shall replace the corporation for science and technology. All moneys, property or any other assets remaining with the corporation for science and technology after all obligations are satisfied on August 28, 1993, shall be transferred to the Missouri business modernization and technology corporation. All powers, duties and functions performed by the Missouri corporation of science and technology on August 28, 1993, shall be transferred to the Missouri business modernization and technology corporation.] **Except as otherwise provided in sections 348.250 to 348.275, the corporation shall be subject to requirements applicable to governmental bodies and records contained in sections 610.010 to 610.225.**

2. [The Missouri technology corporation shall replace the Missouri business modernization and technology corporation. All moneys, property or any other assets remaining with the Missouri business modernization and technology corporation after all obligations are satisfied on August 28, 1994, shall be transferred to the Missouri

technology corporation. All powers, duties and functions performed by the Missouri business modernization and technology corporation on August 28, 1994, shall be transferred to the Missouri technology corporation.] **In addition to the exceptions available under sections 610.010 to 610.225, the records of the corporation shall not be subject to the provisions of sections 610.010 to 610.225, when, upon determination by the corporation, the disclosure of the information in the records would be harmful to the competitive position of the corporation and such records contain:**

- (1) Proprietary information gathered by, or in the possession of, the corporation from third parties pursuant to a promise of confidentiality;**
- (2) Contract cost estimates prepared for confidential use in awarding contracts for research, development, construction, renovation, commercialization, or the purchase of goods or services;**
- (3) Data, records, or information of a proprietary nature produced or collected by, or for, the corporation, its employees, officers, or members of its board;**
- (4) Third-party financial statements, records, and related data not publicly available that may be shared with the corporation;**
- (5) Consulting or other reports paid for by the corporation to assist the corporation in connection with its strategic planning and goals; or**
- (6) The determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the corporation.**

3. In addition to the exceptions available under sections 610.010 to 610.225, the corporation, including the board, executive committee, audit committee, and research alliance of Missouri, or other such committees or boards that the corporation may authorize from time to time, may discuss, consider, and take action on any the following in closed session, when upon determination by the corporation, including as appropriate the board, executive committee, audit committee, and research alliance of Missouri, or other such committees or boards that the corporation may authorize from time to time, disclosure of such items would be harmful to the competitive position of the corporation:

- (1) Plans that could affect the value of property, real or personal, owned, or desirable for ownership by the corporation;**
- (2) The condition, acquisition, use, or disposition of real or personal property; or**
- (3) Contracts for applied research; basic research; science and innovation product development, manufacturing, or commercialization; construction and renovation of science and innovation facilities; or marketing or operational strategies.**

348.264. [1.] There is hereby established in the state treasury a special fund to be known as the "Missouri [Technology Investment] **Science and Innovation Reinvestment Fund**", which shall consist of all moneys which may be appropriated to it by the general assembly **based on the applicable percentage of the amount by which science and innovation employees' gross wages for the year exceeds the base year gross wages pursuant to section 348.265; other funds appropriated to it by the general assembly**, and also any gifts, contributions, grants or bequests received from federal, private or other sources. [Such moneys shall include federal funds which may be received from the National Institute for Science and Technology, the Small Business Administration and the Department of Defense through its Technology Reinvestment Program.] Money in the Missouri [technology investment program] **science and innovation reinvestment fund** shall be used to carry out the provisions of sections [348.251] **348.250** to 348.275. Moneys for business modernization programs, technology application programs, technology commercialization programs and technology development programs established pursuant to the provisions of sections [348.251] **348.250** to 348.275 shall be available from appropriations made by the general assembly from the Missouri [technology investment] **science and innovation reinvestment fund**. Any moneys remaining in the Missouri [technology investment] **science and innovation reinvestment fund** at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the Missouri technology investment fund.

[2. Notwithstanding the provisions of sections 173.500 to 173.565, RSMo, the Missouri technology investment fund shall be utilized to fund projects which would previously have been funded through the higher education applied projects fund.]

\ **348.265. 1. As soon as practicable after August 28, 2011, the director of the department of economic development, with the assistance of the director of the department of revenue, shall establish the base year gross wages and report the amount of the base year gross wages to the president and board of the corporation, the governor, and the general assembly. Within one hundred eighty days after the end of each fiscal year beginning with the fiscal year ending June 30, 2011, and for each subsequent fiscal year prior to the end of the last funding**

year, the director of economic development, with the assistance of the director of the department of revenue, shall determine and report to the president and board of the corporation, governor, and general assembly the amount by which aggregate science and innovation employees' gross wages for the fiscal year exceeds the base year gross wages. The director of economic development and the director of the department of revenue may consider any verifiable evidence, including but not limited to the NAICS codes assigned or recorded by the United States Department of Labor for companies with employees in the state, when determining which organizations should be classified as science and innovation companies.

2. Notwithstanding section 23.250 to the contrary, for each of the twenty-five funding years, beginning July 1, 2011, the director of revenue shall transfer to the Missouri science and innovation reinvestment fund an amount equal to the product of the applicable percentage multiplied by an amount equal to the increase in aggregate science and innovation employees' gross wages for the prior fiscal year, over the base year gross wages. The director of revenue may make estimated payments to the Missouri science and innovation reinvestment fund more frequently based on estimates provided by the director of revenue and reconciled annually.

3. Local political subdivisions may contribute to the Missouri science and innovation reinvestment fund through a grant, contract, or loan by dedicating a portion of any sales tax or property tax increase resulting from increases in science and innovation company economic activity occurring after August 28, 2011, or other such taxes or fees as such local political subdivisions may establish.

4. Funding generated by the provisions of this section shall be expended by the corporation to further its purposes as specified in section 348.256.

5. Upon enactment of this section, the corporation shall prepare a strategic plan for the use of the funding to be generated by the provisions of this section, and may consult with science and innovation partners, including, but not limited to the research alliance of Missouri, as established in section 348.257; the life sciences research board established in section 196.1003; and the innovation centers or centers for advanced technology, as established in section 348.272. The corporation shall make a draft strategic plan available for public comment prior to publication of the final strategic plan.

348.269. 1. Nothing contained in sections 348.250 to 348.275 shall be construed as a restriction or limitation upon any powers that the corporation might otherwise have under chapter 355, and the provisions of sections 348.250 to 348.275 are cumulative to such powers.

2. Nothing in sections 348.250 to 348.275 shall be construed as allowing the board to sell the corporation or substantially all of the assets of the corporation, or to merge the corporation with another institution, without prior authorization by the general assembly.

3. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of sections 348.250 to 348.275 shall not sunset. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.

4. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.

5. If any provision of this Act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. Insofar as the provisions of sections 348.250 to 348.275 are inconsistent with the provisions of any other law, general, specific or local, the provisions of sections 348.250 to 348.275 shall be controlling.

348.271. 1. In order to foster the growth of Missouri's economy and to stimulate the creation of new jobs in [technology-based] **science and innovation-based** industry for the state's work force, the Missouri technology corporation, in accordance with the provisions of this section and within the limits of appropriations therefor is authorized to contract with Missouri not-for-profit corporations for the operation of innovation centers within the state. The primary emphasis of some, if not of all innovation centers, shall be in the areas of [technology commercialization, finance and business modernization. Innovation centers operated under the provisions of this section shall provide assistance to individuals and business organizations during the early stages of the development of new technology-based] **science and innovation-based** business ventures. Such assistance may include the provision of facilities, equipment, administrative and managerial support, planning assistance, and such other services and programs that enhance the development of such ventures and such assistance may be provided for fees or other consideration.

2. The innovation centers operated under this section shall counsel and assist the new [technology-based] **science and innovation-based** business ventures in finding a suitable site in the state of Missouri for location of the business upon its graduation from the innovation program. Each innovation center shall annually submit a report of its

activities to the department of economic development and the Missouri technology corporation which shall include, but not be limited to, the success rate of the businesses graduating from the center, the progress and locations of businesses which have graduated from the center, the types of businesses which have graduated from the center, and the number of jobs created by the businesses involved in the center.

3. Any contract signed between the corporation and any not-for-profit organization to operate an innovation center in accordance with the provisions of this section shall require that the not-for-profit organization must provide at least a one-hundred-percent match for the funding received from the corporation pursuant to appropriation therefor.

348.300. As used in sections 348.300 to 348.318, the following terms mean:

(1) "Commercial activity located in Missouri", any research, development, prototype fabrication, and subsequent precommercialization activity, or any activity related thereto, conducted in Missouri for the purpose of producing a service or a product or process for manufacture, assembly or sale or developing a service based on such a product or process by any person, corporation, partnership, joint venture, unincorporated association, trust or other organization doing business in Missouri. Subsequent to January 1, 1999, a commercial activity located in Missouri shall mean only such activity that is located within a distressed community, as defined in section 135.530;

(2) "Follow-up capital", capital provided to a commercial activity located in Missouri in which a qualified fund has previously invested seed capital or start-up capital and which does not exceed ten times the amount of such seed and start-up capital;

(3) "Person", any individual, corporation, partnership, or other entity, including any charitable corporation which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143;

(4) "Qualified contribution", cash contribution to a qualified fund;

(5) "Qualified economic development organization", any corporation organized under the provisions of chapter 355 which has as of January 1, 1991, obtained a contract with the department of economic development to operate an innovation center to promote, assist and coordinate the research and development of new services, products or processes in the state of Missouri; and the Missouri technology corporation organized pursuant to the provisions of sections [348.253 to 348.266] **348.250 to 348.275**;

(6) "Qualified fund", any corporation, partnership, joint venture, unincorporated association, trust or other organization which is established under the laws of Missouri after December 31, 1985, which meets all of the following requirements established by this subdivision. The fund shall have as its sole purpose and business the making of investments, of which at least ninety percent of the dollars invested shall be qualified investments. The fund shall enter into a contract with one or more qualified economic development organizations which shall entitle the qualified economic development organizations to receive not less than ten percent of all distributions of equity and dividends or other earnings of the fund. Such contracts shall require the qualified fund to transfer to the Missouri technology corporation organized pursuant to the provisions of sections [348.253 to 348.266] **348.250 to 348.275** this interest and make corresponding distributions thereto in the event the qualified economic development organization holding such interest is dissolved or ceases to do business for a period of one year or more;

(7) "Qualified investment", any investment of seed capital, start-up capital, or follow-up capital in any commercial activity located in Missouri;

(8) "Seed capital", capital provided to a commercial activity located in Missouri for research, development and precommercialization activities to prove a concept for a new product or process or service, and for activities related thereto;

(9) "Start-up capital", capital provided to a commercial activity located in Missouri for use in preproduction product development or service development or initial marketing thereof, and for activities related thereto;

(10) "State tax liability", any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147 and 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions;

(11) "Uninvested capital", the amount of any distribution, other than of earnings, by a qualified fund made within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318; or the portion of all qualified contributions to a qualified fund which are not invested as qualified investments within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318 to the extent that the amount not so invested exceeds ten percent of all such qualified contributions."; and

Further amend said bill, Page 323, Section 178.896, Line 19, by inserting after all of said line the following:

"[348.253. 1. The Missouri technology corporation may contract with not-for-profit organizations to carry out the provisions of sections 348.251 to 348.275. By entering into such contracts, the corporation shall attempt to achieve the following objectives:

(1) The establishment of a research alliance which shall advance technology development, as defined in subdivision (3) of section 348.251. The corporation, in this capacity, shall have the authority to contract directly with centers for advanced technology, as established by section 348.272, and other not-for-profit entities. In proceeding with this objective, the corporation and centers for advanced technology shall utilize the results of targeted industry studies commissioned by the department of economic development;

(2) Technology commercialization, as defined in subdivision (2) of section 348.251;

(3) The establishment of a finance corporation to assist in the implementation of section 348.261; and

(4) The enhancement of technology application, as defined in subdivision (1) of section 348.251.

2. Any contract signed between the corporation and any not-for-profit organization, including innovation centers as defined in section 348.271, shall require that the not-for-profit organization must provide at least one-hundred-percent match for any funding received from the corporation through the technology investment fund, as established in section 348.264.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 10-11, Section 32.088, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 154, Section 135.1505, Line 20, by striking the word "shall" ; and inserting in lieu thereof the following:

"may".

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 148, Section 135.1150, Line 20 of said page, by inserting immediately after said line the following:

"135.1180. 1. This section shall be known and may be cited as the "Developmental Disability Care Provider Tax Credit Program".

2. As used in this section, the following terms mean:

(1) "Certificate", a tax credit certificate issued under this section;

(2) "Department", the Missouri department of social services;

(3) "Eligible donation", donations received, by a provider, from a taxpayer that are used solely to provide direct care services to persons with developmental disabilities who are residents of this state. Eligible donations may include cash, publicly traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department of social services. For purposes of this section, "direct care services" include, but are not limited to, increasing the quality of care and service for persons with developmental disabilities through improved employee compensation and training;

(4) "Qualified developmental disability care provider" or "provider", a care provider that provides assistance to persons with developmental disabilities, and is under contract with the Missouri department of social services or department of mental health to provide treatment services for such persons, and that receives eligible

donations. Any provider that operates more than one facility or at more than one location shall be eligible for the tax credit under this section only for any eligible donation made to facilities or locations of the provider which are licensed and accredited;

- (5) "Taxpayer", any of the following individuals or entities who make an eligible donation to a provider:
 - (a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;
 - (b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;
 - (c) An insurance company paying an annual tax on its gross premium receipts in this state;
 - (d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;
 - (e) An individual subject to the state income tax imposed in chapter 143;
 - (f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

3. For all taxable years beginning on or after January 1, 2011, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

4. To claim the credit authorized in this section, a provider may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the provider has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
 - (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and
 - (3) Payment from the provider equal to the value of the tax credit for which application is made.
- If the provider applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

5. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit.

6. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

7. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2011, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 48, Section 67.3005, Line 5 of said page, by inserting after all of said line the following:

"99.975. 1. No new applications made pursuant to sections 99.915 to 99.980 shall be approved after [January 1, 2013] **August 28, 2011**.

2. No applications made pursuant to sections 99.915 to 99.980 shall be approved prior to August 28, 2003, except for applications for projects that are located within a county for which public and individual assistance has been requested by the governor pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions that occurred after May 1, 2003, but prior to May 10, 2003, and the development project area is a central business district that sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency.

3. Prior to December 31, 2006, the Missouri development finance board may approve up to two applications made pursuant to sections 99.915 to 99.980 in a home rule city with more than four hundred thousand inhabitants and located in more than one county in which the state sales tax increment for such projects approved pursuant to the provisions of this subsection shall be up to one-half of the incremental increase in all sales taxes levied pursuant to section 144.020. In no event shall the incremental increase include any amounts attributable to retail sales unless the Missouri development finance board and the department of economic development are satisfied based on information provided by the municipality or authority, and such entities have made a finding that a substantial portion of all but a de minimus portion of the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase for an existing facility shall be the amount of all state sales taxes generated pursuant to section 144.020 at the facility in excess of the amount of all state sales taxes generated pursuant to section 144.020 at the facility in the baseline year. The incremental increase in development project areas where the baseline year is the year following the year in which the development project is approved by the municipality pursuant to subdivision (2) of section 99.918 shall be the state sales tax revenue generated by out-of-state businesses relocating into a development project area. The incremental increase for a Missouri facility which relocates to a development project area shall be the amount by which the state sales tax revenue of the facility exceeds the state sales tax revenue for the facility in the calendar year prior to relocation."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 197-203, Section 168.071, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 11-17, Section 32.105 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 17-18, Section 32.110, by striking all of said section from the bill; and

Further amend said bill, Pages 18-27, Section 32.115, by striking all of said section and inserting in lieu thereof the following:

"32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;

- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more

than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

6. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 32.100 to 32.125 shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits."; and

Further amend said bill, Pages 27-29, Section 32.117, by striking all of said section from the bill; and

Further amend said bill, Page 29, Section 32.120, Lines 19-25 of said page, by striking all of said section from the bill; and

Further amend said bill, Page 78, Section 135.327, Lines 14-25 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, Page 81, Lines 19-28 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, Page 82, Lines 1-3 of said page, by striking all of the underlined language from said lines; and

Further amend said bill, Pages 89-94, Section 135.460, by striking all of said section and inserting in lieu thereof the following:

"135.460. 1. This section and sections 620.1100 and 620.1103 shall be known and may be cited as the "Youth Opportunities and Violence Prevention Act".

2. As used in this section, the term "taxpayer" shall include corporations as defined in section 143.441 or 143.471, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, and individuals, individual proprietorships and partnerships.

3. A taxpayer shall be allowed a tax credit against the tax otherwise due pursuant to chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, chapter 147, chapter 148, or chapter 153 in an amount equal to thirty percent for property contributions and fifty percent for monetary contributions of the amount such taxpayer contributed to the programs described in subsection 5 of this section, not to exceed two hundred thousand dollars per taxable year, per taxpayer; except as otherwise provided in subdivision (5) of subsection 5 of this section. The department of economic development shall prescribe the method for claiming the tax credits allowed in this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

4. The tax credits allowed by this section shall be claimed by the taxpayer to offset the taxes that become due in the taxpayer's tax period in which the contribution was made. Any tax credit not used in such tax period may be carried over the next five succeeding tax periods.

5. The tax credit allowed by this section may only be claimed for monetary or property contributions to public or private programs authorized to participate pursuant to this section by the department of economic development and may be claimed for the development, establishment, implementation, operation, and expansion of the following activities and programs:

(1) An adopt-a-school program. Components of the adopt-a-school program shall include donations for school activities, seminars, and functions; school-business employment programs; and the donation of property and equipment of the corporation to the school;

(2) Expansion of programs to encourage school dropouts to reenter and complete high school or to complete a graduate equivalency degree program;

(3) Employment programs. Such programs shall initially, but not exclusively, target unemployed youth living in poverty and youth living in areas with a high incidence of crime;

(4) New or existing youth clubs or associations;

(5) Employment/internship/apprenticeship programs in business or trades for persons less than twenty years of age, in which case the tax credit claimed pursuant to this section shall be equal to one-half of the amount paid to the intern or apprentice in that tax year, except that such credit shall not exceed ten thousand dollars per person;

(6) Mentor and role model programs;

(7) Drug and alcohol abuse prevention training programs for youth;

(8) Donation of property or equipment of the taxpayer to schools, including schools which primarily educate children who have been expelled from other schools, or donation of the same to municipalities, or not-for-profit corporations or other not-for-profit organizations which offer programs dedicated to youth violence prevention as authorized by the department;

(9) Not-for-profit, private or public youth activity centers;

(10) Nonviolent conflict resolution and mediation programs;

(11) Youth outreach and counseling programs.

6. Any program authorized in subsection 5 of this section shall, at least annually, submit a report to the department of economic development outlining the purpose and objectives of such program, the number of youth served, the specific activities provided pursuant to such program, the duration of such program and recorded youth attendance where applicable.

7. The department of economic development shall, at least annually submit a report to the Missouri general assembly listing the organizations participating, services offered and the number of youth served as the result of the implementation of this section.

8. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1995.

9. For the purposes of the credits described in this section, in the case of a corporation described in section 143.471, partnership, limited liability company described in section 347.015, cooperative, marketing enterprise, or partnership, in computing Missouri's tax liability, such credits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership;
- (3) The members of the limited liability company; and
- (4) Individual members of the cooperative or marketing enterprise. Such credits shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

10. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits."; and

Further amend said bill, Pages 105-109, Section 135.550, by striking all of said section and inserting in lieu thereof the following:

"135.550. 1. As used in this section, the following terms shall mean:

- (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
- (2) "Shelter for victims of domestic violence", a facility located in this state which meets the definition of a shelter for victims of domestic violence pursuant to section 455.200 and which meets the requirements of section 455.220;
- (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;
- (4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a shelter for victims of domestic violence.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a shelter or shelters for victims of domestic violence in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as shelters for victims of domestic violence. The director of the department of social services may require of a facility seeking to be classified as a shelter for victims of domestic violence whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a shelter for victims of domestic violence if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a shelter for victims of domestic violence, and by which such taxpayer can then contribute to such shelter for victims of domestic violence and claim a tax credit. Shelters for victims of domestic violence shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to shelters for victims of domestic violence in any one fiscal year shall not exceed two million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as shelters for victims of domestic violence. If a shelter for victims of domestic violence fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those shelters for victims of domestic violence that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits."; and

Further amend said bill, Pages 115-119, Section 135.600, by striking all of said section and inserting in lieu thereof the following:

"135.600. 1. As used in this section, the following terms shall mean:

(1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;

(2) "Maternity home", a residential facility located in this state established for the purpose of providing housing and assistance to pregnant women who are carrying their pregnancies to term, and which is exempt from income taxation under the United States Internal Revenue Code;

(3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a maternity home.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as maternity homes. The director of the department of social services may require of a facility seeking to be classified as a maternity home whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a maternity home if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a maternity home, and by which such taxpayer can then contribute to such maternity home and claim a tax credit. Maternity homes shall be permitted to decline a contribution from a taxpayer.

The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year shall not exceed two million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as maternity homes. If a maternity home fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those maternity homes that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits."; and

Further amend said bill, Pages 119-124, Section 135.630, by striking all of said section and inserting in lieu thereof the following:

"135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) "Director", the director of the department of social services;
- (3) "Pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty

thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset.] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on August 28, 2015.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 290, Section 620.2015, Line 9, by inserting immediately after the word "under" the following:

"subsection 2 of"; and

Further amend Line 11, by striking the word "the"; and

Further amend Lines 12-13, by striking all of said lines and inserting in lieu thereof the following:

"one hundred percent of the withholding tax from full-time jobs that would otherwise be"; and

Further amend Line 15, by inserting immediately after "143.265," the following:

"for a period of ten years"; and

Further amend said bill and section, Page 294, Line 12, by striking the words "subdivision (5) of subsection 3" and inserting in lieu thereof the following **"subsection 7";** and

Further amend Line 13, by striking "620.2010" and inserting in lieu thereof the following:

"620.2020".

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 208, Section 253.550, Line 19, by inserting immediately after "253.559." the following:

"The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits."; and

Further amend said bill and section, Page 209, Line 7, by inserting immediately after "2011;" the following:

"or"; and

Further amend Lines 8-10, by striking all of said lines and renumbering the remaining subdivision accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 16

AMEND Senate Amendment No. 16 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 3, Section 135.352, Line 17, by striking "2019" and inserting in lieu thereof the following:

"2015"; and

Further amend Line 19, by striking "2019" and inserting in lieu thereof the following:

"2015".

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 85-89, Section 135.352, by striking all of said section from the bill and inserting in lieu thereof the following:

"135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the

feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period. **No more than one hundred million dollars in tax credits provided under sections 135.350 to 135.363 shall be authorized in any fiscal year beginning on or after July 1, 2011.**

3. No more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. **No tax credits shall be authorized after June 30, 2011, for projects financed through tax-exempt bond issuance.**

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2011, any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried forward to any of the taxpayer's five subsequent taxable years but shall not be carried back to any of the taxpayer's previous taxable years.**

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. **A taxpayer that receives tax credits under the provisions of sections 253.545 to 253.559 shall be ineligible to receive tax credits under the provisions of sections 135.350 to 135.363 for the same project.**

8. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

9. **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2019. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2019, or a taxpayer's ability to redeem such tax credits."**; and

Further amend said bill, Pages 94-95, Section 135.481, by striking all of said section of the bill; and

Further amend said bill, Page 96, Section 135.484, Lines 11-18, by striking all of the underlined language on said lines; and

Further amend said bill and section, Page 97, Line 1, by striking all of the opening and closing brackets and underlined language on said line; and

Further amend Line 18, by striking "August 28, 2014" and inserting in lieu thereof the following:

"July 1, 2011"; and

Further amend Line 21, by striking "August 28, 2014" and inserting in lieu thereof the following:

"July 1, 2011"; and

Further amend said bill, Section 208.770, Page 205, Line 3, by inserting after all of said line the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more

than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The employment of an executive director or chief executive officer by the commission, including the executive director or chief executive officer serving in such capacity on the effective date of this act, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of Article IV, Section 51 of the Missouri Constitution."; and

Further amend said bill, Page 305, Section 660.055, Line 26, by inserting immediately after all of said line the following:

"Section 1. An insurance company claiming a state premium tax credit or deduction shall not be required to pay any additional retaliatory tax levied pursuant to section 375.916 as a result of claiming such credit or deduction."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 165-167, Section 137.1018, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 137**, entitled:

An act to repeal section 37.005, RSMo, and to enact in lieu thereof twenty-five new sections relating to the transfer of property, with an emergency clause.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 137, Page 7, Section 37.005, Line 27, by striking all of the underlined words and opening bracket on said line and inserting in lieu thereof an opening bracket "[" immediately after the first occurrence of the word "University"; and

Further amend Line 28, by striking the closing bracket "]" on said line; and

Further amend said bill and section, Page 8, Line 4, by inserting a closing bracket "]" immediately after the word "University".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 315**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 641**, entitled:

An act to repeal sections 195.010, 195.017, 195.022, 195.202, and 195.217, RSMo, and to enact in lieu thereof five new sections relating to controlled substances, with an existing penalty provision.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENTS

May 2, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Brent Lasater as Vice-Chairman of the Transportation Funding and Public Institutions Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House of Representatives

May 2, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Thomas Long as Vice-Chairman of the Transportation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House of Representatives

MESSAGES FROM THE GOVERNOR

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1** entitled:

"AN ACT"

To appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

On May 2, 2011, I approved said **House Committee Substitute for House Bill No. 1**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

On May 2, 2011, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 15** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

On May 2, 2011, I approved said **House Bill No. 15**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 174** entitled:

"AN ACT"

To repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

On May 2, 2011, I approved said **House Committee Substitute for House Bill No. 174**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

April 30, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** entitled:

"AN ACT"

To repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

I disapprove of **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193**. My reasons for disapproval are as follows:

Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193 does not adequately protect the interests of all Missourians. I have taken this action expeditiously in order to provide the General Assembly the opportunity to pass legislation with appropriate congressional district boundaries during the current legislative session.

In accordance with the above stated reasons for disapproval, I am returning **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 209** entitled:

"AN ACT"

To repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for House Bill No. 209 is flawed because certain of its provisions apply to nuisances not related to crop or animal production, and because it prohibits recovery of punitive damages in nuisance actions emanating from property used for crop or animal production.

Senate Substitute for Senate Committee Substitute for House Bill No. 209 is overbroad because it goes beyond its purported intent of addressing only agricultural nuisances. Section 537.296.3 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** converts a second temporary nuisance claim to a claim for permanent nuisance, but importantly, does not contain language limiting its application to nuisances emanating from crop or animal production. By contrast, the exclusive damages provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** and the "good faith" abatement provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** are expressly limited to "crop or animal production." By its own terms, therefore, the two lawsuit limitation in Section 537.296.3 applies to all types of nuisances and not just those relating to crop or animal production. Application of this provision beyond the purported intent of the bill, and the unintended consequences of this application, necessitates my disapproval.

Similarly, Section 537.296.5 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** makes substantive changes to standing requirements, but again does not contain language limiting it to nuisances emanating from crop or animal production. The omission of language limiting this provision to crop or animal production has the presumably unintended effect of making all manner of nuisances – those involving blasting, vehicle exhaust, noise, dust, or leaking gas tanks or oil lines, to name just a few – subject to the standing provision of this bill and making changes to nuisance law not contemplated by either the proponents or opponents of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**.

Finally, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** unacceptably prohibits punitive damages in a nuisance action arising out of crop or animal production. Under Missouri law, punitive damages are recoverable in a temporary nuisance action, i.e., where the nuisance is capable of abatement, and in a permanent nuisance action, i.e., where the nuisance cannot be abated. These damages are currently recoverable for agricultural and non-agricultural nuisances. Section 537.296.2 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** changes Missouri law to provide that the "exclusive damages" awardable in temporary and permanent nuisance actions emanating from crop or animal production are the reduction in fair rental value or fair market value, plus compensatory damages arising from a medical condition caused by the nuisance. This exclusivity provision does not contain an exception for punitive damages. On its face, therefore, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** turns back decades of Missouri common law by prohibiting the recovery of punitive damages in an agricultural nuisance action. The recovery of punitive damages is an important tool to incent the abatement of noxious activity, and must continue to be available to persons aggrieved by a nuisance arising out of crop or animal production.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 209** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 358** entitled:

"AN ACT"

To repeal sections 86.252, 86.255, 86.256, 86.294, and 86.354, RSMo, and to enact in lieu thereof six new sections relating to police retirement.

On May 2, 2011, I approved said **House Bill No. 358**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, May 3, 2011.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Sue Allen, District 92, hereby state and affirm that my vote as recorded on Page 1636 of the Journal of the House for Wednesday, April 27, 2011, to third read and pass House Committee Substitute for Senate Bill No. 161, was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2011.

/s/ Susan Allen
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2011.

/s/ Patricia G. Pleus
Notary Public

I, State Representative Anne Zerr, District 18, hereby state and affirm that my vote as recorded on Page 1636 of the Journal of the House for Wednesday, April 27, 2011, to third read and pass House Committee Substitute for Senate Bill No. 161, was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Nay. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2011.

/s/ Anne Zerr
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2011.

/s/ Patricia G. Pleus
Notary Public

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, May 3, 2011, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

CANCELLED

AGRI-BUSINESS

Tuesday, May 3, 2011, 1:00 PM House Hearing Room 4.

Public hearing will be held: SB 187

Executive session will be held: SB 187

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 337

Executive session may be held on any matter referred to the committee.

We will have a presentation by the Rice Merchandising Council.

CONFERENCE COMMITTEE

Tuesday, May 3, 2011, 9:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4,
SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9,
SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Wednesday, May 4, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Thursday, May 5, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Tuesday, May 3, 2011, House Hearing Room 2 upon afternoon adjournment.

Informational dinner meeting following afternoon adjournment

ECONOMIC DEVELOPMENT

Tuesday, May 3, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 4, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

GENERAL LAWS

Tuesday, May 3, 2011, 12:00 PM South Gallery.

Executive session will be held: SCS SB 300

Executive session may be held on any matter referred to the committee.

CANCELLED

JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

JUDICIARY

Wednesday, May 4, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SCS SB 213

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

RULES

Tuesday, May 3, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, May 3, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session will be held: HB 200, HCS HB 446, HB 720, HB 740, HR 1826, SCR 7,

HCS SCS SB 29, SCS SB 54, HCS SB 59, HCS SB 61, SB 71, HCS#2 SB 97,

HCS SCS SB 117, HCS SS SB 118, HCS SCS SB 131, HCS SB 145, HCS SS SB 202,

HCS SS SB 226, SB 237, HCS SB 250, HCS SCS SB 270, HCS SB 284, HCS SB 322

Executive session may be held on any matter referred to the committee.

CORRECTED

RURAL COMMUNITY DEVELOPMENT

Wednesday, May 4, 2011, 6:30 PM 3702 W. Truman Blvd.

Committee dinner

TOURISM AND NATURAL RESOURCES

Tuesday, May 3, 2011, 8:30 AM House Hearing Room 3.

Public hearing will be held: SCS SB 230

Executive session will be held: SCS SB 230

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HCR 53, SCS SBs 26 & 106

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: SB 48

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FIFTH DAY, TUESDAY, MAY 3, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 658 - Schatz
- 24 HCS HB 707 - Brown (50)
- 25 HCS HB 999 - Schad

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 3 - Diehl
- 2 HCS SS#2 SCS SB 8 - Fisher
- 3 SS SB 55 - Day
- 4 HCS SS SCS SB 58 - Denison
- 5 SB 101 - Nance
- 6 HCS SS SB 135, E.C. - Jones (89)
- 7 HCS SCS SB 163 - Thomson
- 8 HCS SB 173 - Cierpiot
- 9 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 10 HCS SCS SB 219 - Wells
- 11 HCS SB 220 - Diehl
- 12 HCS SB 282 - Dugger
- 13 SS SB 306 - Wells
- 14 HCS SCS SB 57 - Gatschenberger
- 15 SB 83 - Wells
- 16 HCS#2 SB 96 - Fitzwater
- 17 HCS SB 145 - Gatschenberger
- 18 SB 165 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HBs 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger

- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day
- 10 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 11 SCS HB 256 - Cox
- 12 SCS HCS HB 214 - Zerr
- 13 SS SCS HB 137, as amended, E.C. - Thomson
- 14 SCS HCS HB 641 - Franz

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

VETOED HOUSE BILLS

- 1 CCS SS HCS HB 193 - Diehl
- 2 SS SCS HB 209 - Guernsey

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, TUESDAY, MAY 3, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Charles R. Curtman, Cornerstone Baptist Church, Wildwood, Missouri.

Dear Heavenly Father,

We want to thank You today that You are a holy and righteous God; and in these times especially, we are reminded and grateful that You are longsuffering and patient with the children of men.

We thank You today for this land You have given to us, a land so situated and so bountiful that it has provided us with a security and prosperity unprecedented in the history of nations. And as we thank You for this land, we also want to thank You for the guidance You gave to our forefathers in framing a system of government that would place us under a rule of law, and not under the arbitrary rule of fickle men - we thank You for this Constitutional Republic designed to protect and promote the individual freedom, and therefore the happiness of the people of these United States of America.

Today we realize that as Americans we have, as we have always had, a sacred responsibility for the stewardship of this land and these liberties that You have entrusted to us. In keeping with this help us, in these urgent times, to act upon Your promise in 2 Chronicles 7:14: "If my people, which are called by my name will humble themselves and pray, and seek my face, and turn from their wicked ways, then, will I hear from Heaven, and will forgive their sin, and will heal their land."

And so, we ask that You would help this body of Congressmen and women today to represent and lead, not in the interest of collectivism or the advancement of a totalitarian state, but in the interests of those principles that are embedded in our Constitution and that undergird our Constitutional Republic and the furtherance of individual freedom. We pray that you will impart to them a spirit of selflessness, courage and commitment to the cause of freedom and a consciousness of their accountability to You for all that they do. Bless these legislators in their work today; watch over and protect their families, as they are absent from them.

We ask all these things in the name of Your Son, Jesus Christ and for His sake. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Morgan McGhee.

The Journal of the sixty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2938 through House Resolution No. 3027

THIRD READING OF SENATE BILLS

HCS SS#2 SCS SB 8, relating to workers' compensation, was taken up by Representative Fisher.

Representative McManus offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, Page 2, Section 287.067, Line 36, by inserting after the word “department” the following:

“or paid police officers of a paid police department certified under chapter 590”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 1** was adopted.

On motion of Representative Fisher, **HCS SS#2 SCS SB 8, as amended**, was adopted.

On motion of Representative Fisher, **HCS SS#2 SCS SB 8, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty

McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Silvey	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dieckhaus	Hodges	Koenig	Loehner	Meadows
Swinger	Wallingford	Webber		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SS SB 55, relating to the classification of sawmills, was taken up by Representative Day.

On motion of Representative Day, **SS SB 55** was truly agreed to and finally passed by the following vote:

AYES: 129

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McDonald	McGhee	McManus	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 024

Anders	Atkins	Aull	Carlson	Ellinger
Hummel	Kirkton	May	McCann Beatty	McGeoghegan

McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Schupp	Smith 71
Spreng	Still	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Hodges	Koenig	Meadows	Swinger
Wallingford	Webber			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SS SCS SB 58, relating to transportation, was taken up by Representative Denison.

Representative Jones (63) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Pages 1 and 2, Section 301.3084, Lines 1 through 33, by deleting all of said lines and inserting in lieu thereof the following:

“301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. **Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a “Breast Cancer Awareness” license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the “Breast Cancer Awareness” license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the “Breast Cancer Awareness” plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of “Breast Cancer Awareness” plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] **The “Breast Cancer Awareness” license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol,] and shall bear the words ["MISSOURI WOMEN'S COUNCIL"] BREAST CANCER AWARENESS** in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. There is hereby created in the state treasury the “Breast Cancer Awareness Fund” which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.

5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.

6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 1** was adopted by the following vote:

AYES: 116

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Black	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Curtman
Davis	Day	Denison	Dieckhaus	Ellinger
Fallert	Fisher	Fitzwater	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Harris	Holsman	Hoskins	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Loehner
Long	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Pierson	Pollock	Quinn	Redmon
Riddle	Rizzo	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 035

Allen	Bahr	Berry	Brattin	Burlison
Cox	Crawford	Cross	Dugger	Elmer
Entlicher	Flanigan	Fraker	Fuhr	Haefner
Hampton	Higdon	Hinson	Hough	Keeney

Koenig	Lant	Lasater	Leara	Lichtenegger
McCaherty	Parkinson	Phillips	Reiboldt	Richardson
Rowland	Sater	Schneider	Schoeller	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 009

Brandom	Diehl	Hodges	Meadows	Silvey
Swinger	Wallingford	Webber	Mr Speaker	

VACANCIES: 003

Representative Wells offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 14, Section 390.280, Line 42, by inserting after said line the following:

“443.812. 1. Only one license shall be issued to each person conducting the activities of a residential mortgage **loan** broker. A residential mortgage broker shall register with the director each office, place of business or location in Missouri where the residential mortgage loan broker conducts any part of the residential mortgage loan broker's business pursuant to section 443.839.

2. Residential mortgage loan brokers may only solicit, broker, fund, originate, serve and purchase residential mortgage loans in conformance with sections 443.701 to 443.893 and such rules as may be promulgated by the director.

3. No residential mortgage loan broker shall permit an unlicensed individual to engage in the activities of a mortgage loan originator and no residential mortgage loan broker shall permit a mortgage loan originator to engage in the activities of a mortgage loan originator under the supervision of the residential mortgage loan broker until that mortgage loan originator is shown to be employed by the residential mortgage loan broker as provided in this section.

4. Each residential mortgage loan broker shall report and file a listing with the director showing each mortgage loan originator licensed in Missouri and employed under the supervision of the residential mortgage loan broker. The listing shall show the name and unique identifier of each mortgage loan originator. The listing shall be updated with changes and filed no later than the next business day. The director may authorize a system of reporting that shows mortgage loan originators employed by Missouri residential mortgage loan brokers via the NMLSR in substitution for the report and filing requirement under this subsection.

5. The director may grant waivers of residential mortgage loan broker licensing requirements for persons engaged primarily in servicing residential mortgage loans where such waiver shall benefit borrowers including in particular the requirement to maintain a full-service office in Missouri.

6. (1) The provisions of this subsection shall apply to mortgage loan brokers located in the Kansas City metropolitan area including the counties of Johnson, Leavenworth, and Wyandotte in the state of Kansas or mortgage loan brokers located in the Greater St. Louis metropolitan area including the counties of Madison, Monroe and St. Clair in the state of Illinois or any mortgage loan broker making loans on manufactured or modular homes.

(2) No residential mortgage loan broker licensed in this state shall be required to maintain a full-service office in Missouri; except that, nothing in this subsection shall be construed as relieving such broker of the requirements to be licensed in this state and obtain a certificate of authority from the secretary of state's office to transact business in this state.

(3) Any residential mortgage loan broker licensed in this state who does not maintain a full-service office in Missouri shall file with the license application an irrevocable consent in a form to be determined by the director, duly acknowledged, which provides that for any suits and actions commenced against the broker in the courts of this state and, if necessary for any actions brought against the broker, the venue shall lie in Missouri.

(4) The director may assess the reasonable costs of any investigation incurred by the division which are outside the normal expense of any annual or special examination or any other costs incurred by the division as a result of a licensed residential mortgage loan broker not maintaining a full-service office in Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Denison raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Wells moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 3, Section 304.120, Line 42, by inserting after all of said section and line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet
between the extremes
of any group of two or
more consecutive axles,
measured to the nearest
foot, except where
indicated otherwise

		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	

17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight

limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 3, Line 27, by inserting after the word “**products**” the following:

“**not including local log truck as defined in section 301.010**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Smith (150), **House Amendment No. 3, as amended**, was adopted.

Representative Denison offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section 227.428, Line 5, by inserting after all of said section and line the following:

“301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on

three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake

horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty **four** inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a

vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 4** was adopted.

Representative Zerr offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said line the following:

"227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to 227.100, the state highways and transportation commission is authorized to enter into highway design-build project contracts. The total number of highway design-build project contracts awarded by the commission in any state fiscal year shall not exceed two percent of the total number of all state highway system projects **awarded to contracts for construction from projects** listed in the commission's approved statewide transportation improvement project for that state fiscal year. Authority to enter into design-build projects granted by this section shall expire on July 1, [2012] **2018**, unless extended by statute.

2. Notwithstanding provisions of subsection 1 of this section to the contrary, the state highways and transportation commission is authorized to enter into additional design-build contracts for the design, construction, reconstruction, or improvement of Missouri Route 364 as contained in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants and in any county with a charter form of government and with more than one million inhabitants, and the State Highway 169 and 96th Street intersection located within a home rule city with more than four hundred thousand inhabitants and located in more than one county. The state highways and transportation commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of State Highway 92, contained in a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, from its intersection with State Highway 169, east to its intersection with State Highway E. **The state highways and transportation commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of US 40/61 I-64 Missouri River Bridge as contained in any county with a charter form of government and with more than one million inhabitants and any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants.** The authority to enter into a design-build highway project under this subsection shall not be subject to the time limitation expressed in subsection 1 of this section.

3. For the purpose of this section a "design-builder" is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

4. For the purpose of this section, "design-build highway project contract" is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

5. For the purpose of this section, "highway project" is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

6. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

7. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

8. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 6 of this section.

9. The commission may require approval of any person performing subcontract work on the design-build highway project.

10. Notwithstanding the provisions of sections 107.170, and 227.100, to the contrary, the commission shall require the design-builder to provide to the commission directly such bid, performance and payment bonds, or such letters of credit, in such terms, durations, amounts, and on such forms as the commission may determine to be adequate for its protection and provided by a surety or sureties authorized to conduct surety business in the state of Missouri or a federally insured financial institution or institutions, satisfactory to the commission, including but not limited to:

(1) A bid or proposal bond, cash or a certified or cashier's check;

(2) A performance bond or bonds for the construction period specified in the design-build highway project contract equal to a reasonable estimate of the total cost of construction work under the terms of the design-build highway project contract. If the commission determines in writing supported by specific findings that the reasonable estimate of the total cost of construction work under the terms of the design-build highway project contract is expected to exceed two-hundred fifty million dollars and a performance bond or bonds in such amount is impractical, the commission shall set the performance bond or bonds at the largest amount reasonably available, but not less than two-hundred fifty million dollars, and may require additional security, including but not limited to letters of credit, for the balance of the estimate not covered by the performance bond or bonds;

(3) A payment bond or bonds that shall be enforceable under section 522.300 for the protection of persons supplying labor and material in carrying out the construction work provided for in the design-build highway project contract. The aggregate amount of the payment bond or bonds shall equal a reasonable estimate of the total amount payable for the cost of construction work under the terms of the design-build highway project contract unless the commission determines in writing supported by specific findings that a payment bond or bonds in such amount is impractical, in which case the commission shall establish the amount of the payment bond or bonds; except that the amount of the payment bond or bonds shall not be less than the aggregate amount of the performance bond or bonds and any additional security to such performance bond or bonds; and

(4) Upon award of the design-build highway project contract, the sum of the performance bond and any required additional security established under subdivisions (2) and (3) of this subsection shall be stated, and shall be a matter of public record.

11. The commission is authorized to prescribe the form of the contracts for the work.

12. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

13. The provisions of sections 8.285 to 8.291 shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

14. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

15. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

16. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

17. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the joint transportation oversight committee in accordance with the provisions of section 21.795. The annual report prior to advertisement of the design-build highway project contracts shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design-builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

18. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

19. The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

20. If the commission fails to receive at least two responsive submissions from design-builders considered qualified, submissions shall not be opened and it shall readvertise the project.

21. For any highway design-build project constructed under this section, the commission shall negotiate and reach agreements with affected railroads. Such agreements shall include clearance, safety, insurance, and indemnification provisions, but are not required to include provisions on right-of-way acquisitions."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 5** was adopted.

Representative Schad offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 2, Section 301.3084, Line 33, by inserting after said line the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) [A business, occupation, or] **Driving to or from the operator's places of employment;**

(b) [Seeking medical treatment for such operator;

(c)] Attending school or other institution of higher education;

[(d)] **(c)** Attending alcohol or drug treatment programs; **or**

[(e)] **(d)** Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director

finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose

of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 14, Section 537.293, Line 13, by inserting after said line the following:

“577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "aggravated offender" is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) A "chronic offender" is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense;

assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(4) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance;

(5) A "persistent offender" is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082; and

(6) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding.

(1) No prior offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(2) No persistent offender shall be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(3) No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment.

(4) No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment. In addition to any other terms or conditions of probation, the court shall consider, as a condition of probation for any person who pleads guilty to or is found guilty of an intoxication-related traffic offense, requiring the offender to abstain from consuming or using alcohol or any products containing alcohol as demonstrated by continuous alcohol monitoring or by verifiable breath alcohol testing performed a minimum of four times per day as scheduled by the court for such duration as determined by the court, but not less than ninety days. The court may, in addition to imposing any other fine, costs, or assessments provided by law, require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior conviction, plea of guilty, or finding of guilt in an intoxication-related traffic offense shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence received by a search of the records of the Missouri uniform law enforcement system, including criminal history records from the central repository or records from the driving while intoxicated tracking system (DWITS) maintained by the Missouri state highway patrol, or the certified driving record maintained by the Missouri department of revenue. After hearing the evidence, the court shall enter its findings thereon. A plea of guilty or a finding of guilt followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court or any combination thereof, shall be treated as a prior plea of guilty or finding of guilt for purposes of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Keeney assumed the Chair.

On motion of Representative Schad, **House Amendment No. 6** was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Rowland offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 5, Section 304.200, Line 40, by inserting after all of said section and line the following:

“305.300. **1.** The governing body of any county may create an airport authority to build or acquire and operate one or more airports within the boundaries of the county or an adjoining county. The authority shall be created by resolution of the governing body not sooner than ten days after public notice is posted at the courthouse announcing the intention of forming such a body.

2. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants may create an airport authority within the boundaries of the city in the same manner as provided in sections 305.300 to 305.333.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 7** was adopted.

Representative Cierpiot offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“226.195. **1.** As used in this section, the following terms mean:

(1) "Commission", the Missouri highways and transportation commission;
(2) "Department", the Missouri department of transportation;
(3) "Public mass transportation service provider", a city, a city transit authority, a city utilities board, or an interstate transportation authority as such terms are defined in section 94.600, an intrastate transportation authority, or an agency receiving funding from either the federal transit administration urban or nonurban formula transit program.

2. There is hereby created the Missouri state transit assistance program. The purpose of this program is to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers.

3. Funds appropriated to the Missouri state transit assistance program shall be appropriated to the department and administered by the department on behalf of the commission. The distribution of funds to public mass transportation service providers shall be determined by evaluating factors including but not limited to the following:

- (1) Population;
- (2) Ridership;
- (3) Cost and efficiency of the program;
- (4) Availability of alternative transportation in the area;
- (5) Local effort or tax support.

4. The commission shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 8** was adopted.

Representative Long offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 5, Section 304.200, Lines 39-40, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 9** was adopted.

Representative Torpey offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section 227.428, Line 5, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) "Board", the board of directors of a district;
(2) "Commission", the Missouri highways and transportation commission;
(3) "District", a transportation development district organized under sections 238.200 to 238.275;
(4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

(6) **“Public mass transportation system”, a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;
(2) "Qualified electors", "qualified voters" or "voters":
(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or
(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project. Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section

to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for

acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 10** was adopted.

Representative Stream offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said line the following:

"70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;

(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, shall, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall be required to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.

6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 11** was adopted.

Representative Denison offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill, page, Section 227.428, Line 5, by inserting after all of said section and line the following:

“301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu

of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of each year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates bearing a company name or logo. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab **or window sticker**. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390, if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) **Beginning January 1, 2012**, the director of revenue shall issue annually or biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of this section, motorcycles and trailers shall be issued license plate tabs in lieu of window stickers.** Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window sticker** positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

(2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate] **The window sticker shall be placed on the inside front window in an area prescribed by the director of revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the designated area of the license plate.**

(3) A tab or [set of tabs] **window sticker** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. [No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with**

the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates **and window sticker** shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. **A window sticker shall not be required during the thirty-day time frame.** As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will

return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor vehicle or trailer and when the required fee has been paid to the department of revenue, the department shall forward or deliver to the applicant the registration receipt and the number of license plates prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if appropriate. The attachment to the motor vehicle or trailer specified in the application of current license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and], tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any "motor vehicle primarily for business use", as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner's name if the owner's title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. The director of the department of revenue is authorized to make all necessary rules and regulations for the administration of this subsection, and shall design all necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or window stickers** per year when the application for the replacement tab **or sticker** is accompanied with a police report that is corresponding with the stolen license plate tab **or window sticker**.

2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs have] **window sticker has** been stolen and a check on such person's vehicle registration reveals that the vehicle is properly registered. A law enforcement officer may issue a warning under these circumstances. In the event a citation is improperly issued to a person for a missing [tabs] **tab or window sticker** when the requirements of this section are met, any court costs shall be waived.”; and

Further amend said bill, Page 14, Section 537.293, Line 13, by inserting after all of said section and line the following:

“Section B. Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, of this act shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 12** was adopted.

On motion of Representative Denison, **HCS SS SCS SB 58, as amended**, was adopted.

On motion of Representative Denison, **HCS SS SCS SB 58, as amended**, was read the third time and passed by the following vote:

AYES: 127

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 116	Burlison	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day

1781 *Journal of the House*

Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Gosen	Grisamore
Guernsey	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Webb	Wells	Weter	White
Wright	Zerr			

NOES: 018

Allen	Barnes	Brattin	Brown 85	Carlson
Flanigan	Fuhr	Haefner	Jones 117	Kelly 24
Kirkton	Marshall	Oxford	Schieber	Schupp
Still	Wieland	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Franklin	Funderburk	Gatschenberger	Hodges
Lasater	Meadows	Riddle	Schad	Smith 71
Swinger	Wallingford	Walton Gray	Webber	Mr Speaker

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 15**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 34**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 12**.

SENATE CONCURRENT RESOLUTION NO. 12

WHEREAS, atrial fibrillation (AFib) is the most common serious heart rhythm disorder and causes 15 percent of all strokes in the United States; and

WHEREAS, AFib affects more than 2.3 million Americans and is expected to more than double to 5.6 million Americans by 2050; and

WHEREAS, one in four people aged 40 years or older develop AFib during their lifetime; and

WHEREAS, AFib causes the heart to beat irregularly or out of rhythm. As a result, people with AFib are nearly five times more likely to have a stroke than someone without the condition. In addition, AFib-related strokes are about twice as likely to be fatal and about twice as likely to be severely disabling than strokes that are not related to AFib; and

WHEREAS, three out of four AFib-related strokes can be prevented, but many patients are not aware of their risk and do not take action to prevent stroke; and

WHEREAS, the estimated direct medical cost of stroke for 2007 was \$25.2 billion. This includes hospital outpatient or office-based provider visits, hospital inpatient stays, emergency room visits, prescribed medicines, and home health; and

WHEREAS, appropriate stroke prevention in AFib can effectively reduce the overall financial burden of the illness within public programs such as Medicaid and Medicare; and

WHEREAS, reducing the risk of stroke related to AFib may maintain self sufficiency on the part of patients cared for within public programs:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation using available general appropriations and/or private sources of funding in an effort to identify opportunities to reduce the financial and clinical burden of AFib-related strokes upon Missouri, and public programs including Medicare and Medicaid; and

BE IT FURTHER RESOLVED that at the conclusion of such an assessment, a report of findings and recommendations be prepared and provided to the General Assembly by December 31, 2011, so that it can evaluate the effectiveness of the current quality of care within public programs including Medicare and Medicaid and in providing recommendations for improved health and well being of the affected patients; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the director of the MO HealthNet Division.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 366, as amended** and has taken up and passed **HCS SCS SB 366, as amended**.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILLS

HB 658, as amended, relating to the Meth Lab Elimination Act, was taken up by Representative Schatz.

Representative Sater moved that pursuant to Rule 78, **HB 658, as amended**, be recommitted to the committee of origin.

The motion to recommit **HB 658, as amended**, to the committee of origin was withdrawn.

On motion of Representative Schatz, **HB 658, as amended**, was ordered perfected and printed by the following vote:

AYES: 080

Atkins	Aull	Berry	Black	Brandom
Brown 50	Brown 85	Carlson	Casey	Cauthorn
Conway 14	Cross	Denison	Dieckhaus	Ellinger
Elmer	Fallert	Fisher	Fitzwater	Fraker
Franklin	Fuhr	Funderburk	Gosen	Hampton
Higdon	Hinson	Houghton	Hubbard	Kander
Kelley 126	Klippenstein	Korman	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	May	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Neth	Oxford	Pace	Peters-Baker	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Scharnhorst	Schatz	Schneider
Shumake	Smith 71	Smith 150	Solon	Spreng
Stream	Taylor	Thomson	Torpey	Webb
Weter	Wright	Wyatt	Zerr	Mr Speaker

NOES: 071

Anders	Asbury	Bahr	Barnes	Bernskoetter
Brattin	Burlison	Carter	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Diehl	Dugger	Entlicher
Flanigan	Franz	Frederick	Gatschenberger	Grisamore
Guernsey	Haefner	Harris	Holsman	Hoskins
Hough	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Koenig	Kratky	Leara	Long	Marshall
McDonald	McNary	Molendorp	Nance	Nasheed
Newman	Nichols	Parkinson	Pollock	Quinn
Ruzicka	Sater	Schad	Schieber	Schieffer
Schoeller	Schupp	Shively	Silvey	Still
Swearingen	Talboy	Walton Gray	Wells	White
Wieland				

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Allen	Brown 116	Hodges	Meadows	Nolte
Swinger	Wallingford	Webber		

VACANCIES: 003

HCS HB 999, relating to sexual offender registration, was taken up by Representative Schad.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 999, Page 14, Section 589.404, Line 48, by deleting from said line the phrase “, **watercraft, or aircraft**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 999, Page 19, Section 589.414, Lines 17-20, by deleting all of said lines and inserting in lieu thereof the following:

- “(1) **Vehicle information;**
- (2) **Temporary residence information;**
- (3) **Email addresses, instant messaging addresses,”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

Representative Higdon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 999, Page 8, Section 589.401, Line 20, by deleting on said line the word “**ten**” and inserting in lieu thereof the word “**five**”; and

Further amend said page and section, Line 21, by deleting on said line the word “**fifteen**” and inserting in lieu thereof the word “**ten**”; and

Further amend said bill, Page 10, Section 589.401, Line 84, by deleting on said line the word “**Ten**” and inserting in lieu thereof the word “**Five**”; and

Further amend said page and section, Line 86, by deleting on said line the word "**Fifteen**" and inserting in lieu thereof the word "**Ten**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 3** was adopted.

Representative Marshall offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 999, Page 24, Section 589.414, Line 214, by inserting after the word "**shall**" on said line the word "**only**"; and

Further amend said page and section, Line 215, by deleting the comma " ," on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 4** was adopted.

Representative Schad offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 999, Pages 16 and 17, Section 589.408, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"589.408. 1. Any person who would otherwise be a Tier II or Tier III offender may file a petition in the division of the circuit court in the county in which the offense requiring classification as a Tier II or Tier III offender was adjudicated to have his or her classification lowered one Tier.

2. A person whose offense requiring classification in Missouri as a Tier II or Tier III offender"; and

Further amend said bill, Page 17, Section 589.408, Lines 11 to 16, by deleting all of said lines and inserting in lieu thereof the following:

"3. The petition shall be dismissed without prejudice if it fails to include any of the"; and

Further amend said bill, Page 17, Section 589.408, Line 26, by deleting all of said line and inserting in lieu thereof the following:

"(2) The offense or offenses requiring classification as a Tier II or Tier III offender"; and

Further amend said bill, Page 17, Section 589.408, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"adjudicated sex offense requiring classification as a Tier II or Tier III offender"; and

Further amend said bill, Page 17, Section 589.408, Line 35, by deleting all of said line and inserting in lieu thereof the following:

"4. The petition shall name as respondents the Missouri state highway patrol and"; and

Further amend said bill, Page 17, Section 589.408, Lines 38 and 39, by deleting all of said lines and inserting in lieu thereof the following:

"5. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

6. In making a determination as to whether the petition should be granted the court shall, at a minimum, consider the following factors:

(1) The seriousness of the offense should the offender reoffend. This factor includes consideration of the following:

- (a) The degree of likely force or harm;**
- (b) The degree of likely physical contact; and**
- (c) The age of the likely victim;**

(2) The offender's prior offense history. This factor includes consideration of the following:

- (a) The relationship of prior victims to the offender;**
- (b) The number of prior sexual offenses or victims;**
- (c) The number of prior noncontact sexual offenses;**
- (d) The number of prior nonsexual violent offenses;**
- (e) The number of prior sentencing dates;**
- (f) The duration of the offender's prior offense history;**
- (g) The length of time since the offender's last prior offense while the offender was at risk to commit**

offenses; and

(h) The offender's prior history of other antisocial acts;

(3) The offender's characteristics. This factor includes consideration of the following:

- (a) The offender's response to prior treatment efforts; and**
- (b) The offender's history of substance abuse;**

(4) The availability of community supports to the offender. This factor includes consideration of the following:

(a) The availability and likelihood that the offender will be involved in therapeutic treatment;

(b) The availability of residential supports to the offender, such as a stable and supervised living arrangement in an appropriate location;

(c) The offender's familial and social relationships, including the nature and length of these relationships and the level of support that the offender may receive from these persons; and

(d) The offender's lack of education or employment stability;

(5) Whether the offender has indicated or credible evidence in the record indicates that the offender will reoffend if released into the community;

(6) Whether the offender had any unrelated victims;

(7) Whether the offender had any stranger victims;

(8) Whether the offender had any male victims;

(9) The current age of the offender;

(10) Whether the offender has ever lived with a lover for at least two years; and

(11) Whether the offender demonstrates a physical condition that minimizes the risk of reoffense, including but not limited to, advanced age or a debilitating illness or physical condition."; and

Further amend said bill, Page 17, Section 589.408, Line 41, by deleting all of said line and inserting in lieu thereof the following:

"be given notice, by the person seeking a reduction in classification, of"; and

Further amend said bill, Page 18, Section 589.408, Line 51, by deleting all of said line and inserting in lieu thereof the following:

"crime for which the person was required to be classified as a Tier II or Tier III offender of the"; and

Further amend said bill, Page 18, Section 589.408, Line 55, by deleting all of said line and inserting in lieu thereof the following:

"from a Tier II offender to a Tier I offender or from a Tier III offender to a Tier II offender unless it finds the petitioner:"; and

Further amend said bill, Page 18, Section 589.408, Line 63, by deleting all of said line and inserting in lieu thereof the following:

"II or Tier III offender, even if the offense was punishable by less than one year imprisonment."; and

Further amend said bill, Page 18, Section 589.408, Lines 67 and 68, by deleting all of said lines and inserting in lieu thereof the following:

"12. If it is found that the petition is denied a Tier II offender may not file a new petition under this section until five years have passed from the date of the adjudication resulting in the denial of relief and a Tier III offender may not file a new petition under this section until ten years have passed from the date of the adjudication resulting in the denial of relief."; and

Further amend said bill, Page 18, Section 589.408, Lines 70 and 71, by deleting all of said lines and inserting in lieu thereof the following:

"lowered, it shall enter judgment directing the Missouri state highway patrol to change the offender's classification either from a Tier II to a Tier I offender or from a Tier III to a Tier II offender"; and

Further amend said bill, Page 20, Section 589.414, Line 67, by deleting all of said line and inserting in lieu thereof the following:

"(2) Any offender whose classification was changed to a Tier I offender by court order under section 589.408;

(3) Any offender who is [registered for a crime where the victim was less than eighteen"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 5** was adopted.

On motion of Representative Schad, **HCS HB 999, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 999, as amended**, was ordered perfected and printed.

HCS HB 707, relating to a land bank agency, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 707** was adopted.

On motion of Representative Brown (50), **HCS HB 707** was ordered perfected and printed.

THIRD READING OF SENATE BILLS

SB 101, relating to residential contractors, was taken up by Representative Nance.

Speaker Tilley resumed the Chair.

On motion of Representative Nance, **SB 101** was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Cross	Fitzwater	Hodges	Meadows
Nolte	Peters-Baker	Reiboldt	Swinger	Wallingford
Webber				

VACANCIES: 003

Speaker Tilley declared the bill passed.

HCS SB 145, relating to political subdivisions, was taken up by Representative Gatschenberger.

HCS SB 145 was laid over.

HCS SS SB 135, relating to environmental protections, was taken up by Representative Jones (89).

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 11, Section 640.045, Line 8, by inserting after all of said section the following:

"640.116. 1. Any water system that exclusively serves a charitable or benevolent organization, if the system does not regularly serve an average of one hundred persons or more at least sixty days out of the year and the system does not serve a school or day-care facility, shall be exempt from all rules relating to well construction except any rules established under sections 256.600 to 256.640 applying to multifamily wells, unless such wells or pump installations for such wells are determined to present a threat to groundwater or public health.

2. If the system incurs three or more total coliform maximum contaminant level violations in a twelve-month period or one acute maximum contaminant level violation, the system owner shall either provide an alternate source of water, eliminate the source of contamination, or provide treatment that reliably achieves at least ninety-nine and ninety-nine one-hundredths percent treatment of viruses.

3. Notwithstanding this or any other provision of law to the contrary, no facility otherwise described in subsection 1 of this section shall be required to replace, change, upgrade, or otherwise be compelled to alter an existing well constructed prior to August 28, 2011, unless such well is determined to present a threat to groundwater or public health or contains the contaminant levels referred to in subsection 2 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Schad offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 7, Section 260.965, Line 2, by inserting after all of said line the following:

"306.108. 1. It shall be unlawful for any person to operate, play, or permit the operation of any public speaking system transmitter, sound amplification device, or any other type of device, mechanical or electronic, to emit or direct music, spoken words, or sounds that can be heard on the Lake of the Ozarks which when measured from a distance of fifty feet or more exceeds eighty decibels on an A-weighted scale during the hours of 7:01 a.m. to 10:00 p.m., or exceeds seventy decibels during the hours of 10:01 p.m. to 7:00 a.m.

2. This section does not supersede any local laws or ordinances regulating noise in the area.

3. Any person who violates the provisions of this section shall be punished by imprisonment not to exceed ninety days or a fine up to five hundred dollars or both imprisonment and a fine."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

Representative Thomson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 4, Section 260.269, Line 5, by inserting immediately after the word “fuel” on said line the following:

“except in a permitted facility”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 3** was adopted.

On motion of Representative Jones (89), **HCS SS SB 135, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SS SB 135, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

1791 *Journal of the House*

NOES: 002

Franklin Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Day	Fitzwater	Flanigan	Hodges
Meadows	Reiboldt	Still	Swinger	Wallingford
Webber				

VACANCIES: 003

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Franklin Marshall

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 116	Carter	Diehl	Fitzwater	Flanigan
Hodges	Lant	Meadows	Molendorp	Reiboldt
Richardson	Silvey	Swinger	Wallingford	Webber

VACANCIES: 003

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was returned **SCS SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 187**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 337**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 53

WHEREAS, the average price of gasoline has risen to nearly \$4.00 a gallon and are projected to remain there or go even higher as the summer months approach; and

WHEREAS, numerous components make up the price of gasoline, including the cost of crude oil (45%), federal and state taxes (23%), refining costs (22%), and marketing and distribution costs (10%). These components are affected by many factors; and

WHEREAS, the three main factors that contribute to changes in the price of gasoline are changes in crude oil prices, the transparency of energy markets, and regulations that affect the price of gasoline; and

WHEREAS, there is very little government can do about crude oil prices and transparency. Crude oil prices are affected by world supply and demand, which continues to grow and most rapidly in Asia. Transparency produces highly efficient markets, but it also increases volatility. Any reduction in transparency would offset efficiency; and

WHEREAS, while states have limited authority and options available to attempt to reverse the soaring fuel prices and alleviate the growing financial burden on its citizenry, the federal government is able to ease the pressure on prices and reduce volatility by reducing its own interference in the market - most directly by the way of taxes and regulation; and

WHEREAS, federal regulations have contributed significantly to the high price, high volatility environment facing consumers today. These regulations have led to the proliferation of numerous fuel blends - known as "boutique fuels" - which in turn have increased refining and distribution costs; and

WHEREAS, in addition to addressing the boutique fuel problem, Congress and the Administration should reform other Clean Air Act regulations that have resulted in the halt of construction of new refinery capacity and offshore drilling. More production and refinery capacity is needed to ease the pressure on the production system; and

WHEREAS, federal regulations are also affecting gasoline imports because foreign suppliers are unable to keep up with the increasing complexity of federal gasoline requirements. Volatility in the Middle East also threatens our second largest supplier of oil - OPEC; and

WHEREAS, while changes in federal regulations and policies are needed as a long-term solution, the federal government is able to impact gasoline prices in the short-term as well; and

WHEREAS, in the short-term, the Environmental Protection Agency should temporarily suspend clean-fuel requirements and reduce the number of fuel specifications across the country by offering a limited menu of fuel choices that states and localities can choose from; and

WHEREAS, with crude oil costs being the single largest component in the cost of gasoline, the only real impact on crude oil prices is the threat of competition; and

WHEREAS, the leading supplier of oil to the United States market is Canada, with Mexico as the third leading supplier. There are enough oil and gas resources under the ground of those two reliable neighbors to supply the United States at current consumption levels for the next 100 years; and

WHEREAS, by lowering any remaining cross-border barriers to energy imports and by increasing the capacity of cross-border distribution systems, Congress can lower the cost to both Canada and Mexico of shipping oil to the United States, thereby inducing them to bring more supply on line; and

WHEREAS, in order to reduce our dependence on foreign oil, Congress and the Administration should find ways to facilitate the building of new refineries, and an increase in production by permitting the uncapping of existing wells and the drilling of new wells; and

WHEREAS, Congress and the Administration should strive to maintain a well-functioning gasoline market for the good of the economy, without interfering in the marketplace. Changes in federal regulation, introduction of fuel flexibility, removing impediments to importation of fuel from Canada and Mexico, increasing refinery capacity and pipeline construction, as well as greater domestic oil exploration and opening additional areas of production would begin to ease the rising cost of fuels and reduce our dependence on foreign sources of oil:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress and the Obama Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs to ease the financial burden on its citizens and prevent a second recession; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama; Lisa P. Jackson, Administrator of the Environmental Protection Agency; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 26 & 106**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 48**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1826**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 200**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 446**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 720**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 740**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 59**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 97**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 117**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 117**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 118**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 187**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 202**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 226**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 243**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 250**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 284**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS#2 SCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 322**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 504, 505 & 874 - Fiscal Review (Fiscal Note)

HCS HB 732 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 29 - Fiscal Review (Fiscal Note)
HCS SS SB 226 - Fiscal Review (Fiscal Note)
HCS SB 243 - Fiscal Review (Fiscal Note)
HCS SCS SB 270 - Fiscal Review (Fiscal Review)
HCS SB 284 - Fiscal Review (Fiscal Note)
SS#2 SCS SB 320 - Fiscal Review (Fiscal Note)
HCS SB 322 - Fiscal Review (Fiscal Note)
SCS SB 323 - Fiscal Review (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 17**, entitled:

An act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 17, Page 2, Section 17.012, Lines 1-10, by striking all of said section from the bill.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 21**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 340**, entitled:

An act to repeal section 49.310, RSMo, and to enact in lieu thereof one new section relating to the erection and maintenance of jails, with an emergency clause.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 340, Page 1, Title, Line 3, by inserting immediately after the word "clause" the following:

"for a certain section"; and

Further amend said bill, Page 2, Section 49.310, Line 24, by inserting after all of said line the following:

"478.711. 1. Within Cape Girardeau County the circuit court [shall] **may** hold court in the courthouses at Jackson and at Cape Girardeau, and while holding court at Jackson may be known as the "Circuit Court of Cape Girardeau County at Jackson" and while holding court at Cape Girardeau may be known as the "Circuit Court of Cape Girardeau County at Cape Girardeau". All matters which are handled by circuit judges or associate circuit judges of the circuit court of Cape Girardeau County may be handled at either of the locations.

2. The probate division of the circuit court of Cape Girardeau County [shall] **may** maintain an office at the courthouse in Jackson and an office at the courthouse in Cape Girardeau.

483.420. The circuit clerk of Cape Girardeau County [shall] **may** maintain and staff offices at the courthouses in Jackson and Cape Girardeau."; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word "reenactment" the following:

"of section 49.310"; and

Further amend Line 4, by inserting immediately after the word "reenactment" the following:

"of section 49.310"; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS#2 SCS SB 8, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

The following member's presence was noted: Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, May 4, 2011.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE

Wednesday, May 4, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Thursday, May 5, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, May 4, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 927

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Wednesday, May 4, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 4, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

JUDICIARY

Wednesday, May 4, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SCS SB 213

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

CANCELLED

LOCAL GOVERNMENT

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, May 4, 2011, House Hearing Room 7, 6:00 PM or upon afternoon adjournment.

Executive session will be held: HCR 53, HCS HBs 979 & 885, SB 38, HCS SCS SB 60,

SS SCS SB 65, HCS SB 90, HCS#2 SCS SB 162, SS SB 238, HCS SB 325,

HCS SS SCS SB 351, HCS SCS SB 356

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Wednesday, May 4, 2011, 6:30 PM 3702 W. Truman Blvd.

Committee dinner

TOURISM AND NATURAL RESOURCES

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 11

Executive session will be held: SCS SB 230

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SIXTH DAY, WEDNESDAY, MAY 4, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HB 138 - Thomson
- 4 HCS HB 732, (Fiscal Review 5-3-11) - Brandom
- 5 HCS HBs 504, 505 & 874, (Fiscal Review 5-3-11) - Silvey

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 3 - Diehl
- 2 HCS SCS SB 163 - Thomson
- 3 HCS SB 173 - Cierpiot
- 4 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 5 HCS SCS SB 219 - Wells
- 6 HCS SB 220 - Diehl
- 7 HCS SB 282 - Dugger
- 8 SS SB 306 - Wells
- 9 HCS SCS SB 57 - Gatschenberger
- 10 SB 83 - Wells
- 11 HCS#2 SB 96 - Fitzwater
- 12 HCS SB 145 - Gatschenberger
- 13 SB 165 - Cox
- 14 HCS SCS SB 29, (Fiscal Review 5-3-11) - Jones (117)
- 15 HCS SB 59 - Diehl
- 16 HCS SB 61 - Nasheed
- 17 SB 71 - Largent
- 18 HCS#2 SB 97 - Fitzwater
- 19 HCS SS SB 118 - Sater
- 20 HCS SB 187 - Guernsey
- 21 HCS SS SB 202 - Schoeller
- 22 HCS SS SB 226, (Fiscal Review 5-3-11) - Franz
- 23 SB 237 - Barnes
- 24 HCS SB 243, (Fiscal Review 5-3-11), E.C. - Dieckhaus
- 25 HCS SB 250 - Schad
- 26 HCS SCS SB 270, (Fiscal Review 5-3-11) - Dugger
- 27 HCS SB 284, (Fiscal Review 5-3-11), E.C. - Sater
- 28 SS#2 SCS SB 320, (Fiscal Review 5-3-11) - Diehl
- 29 HCS SB 322, (Fiscal Review 5-3-11) - Silvey
- 30 SCS SB 323, (Fiscal Review 5-3-11), E.C. - Allen

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger
- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day
- 10 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 11 SCS HB 256 - Cox
- 12 SCS HCS HB 214 - Zerr
- 13 SS SCS HB 137, as amended, E.C. - Thomson
- 14 SCS HCS HB 641 - Franz
- 15 HCS HB 197, SCA 1 - Jones (63)
- 16 HB 340, SA 1, E.C. - Klippenstein
- 17 SCS HCS HB 17, as amended - Silvey
- 18 SCS HCS HB 21 - Silvey

BILLS CARRYING REQUEST MESSAGES

HCS SS#2 SCS SB 8, as amended (request House recede/grant conference) - Fisher

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

VETOED HOUSE BILLS

- 1 CCS SS HCS HB 193 - Diehl
- 2 SS SCS HB 209 - Guernsey

SENATE CONCURRENT RESOLUTIONS

SCR 7, (3-17-11, Page 700) - Jones (89)

HOUSE RESOLUTIONS

HR 1826, (4-27-11, Pages 1649-1650) - Long

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SIXTH DAY, WEDNESDAY, MAY 4, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Thou wilt show me the path of life: in Thy presence is fullness of joy. (Psalm 16:11)

O God, Ruler of governments, You have surrounded us with Your mercies, You have guided us with Your wisdom, You have blessed us with Your love. Continue to breathe upon us, breath of God, fill us with life anew, that we may love what You love and do what You would do - so may our lives be more worthy in Your sight and our labor be in accordance with Your Holy will.

Deliver us from pride and prejudice and bless us with the glorious liberty of an open mind and responsive heart. Clothe us with the spirit that never fails to bear the fruit of happiness, integrity and love. Finally, give relief and comfort to all who have suffered from the recent floods and tornadoes in our state. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Travis Sims and Katrina Enlow.

The Journal of the sixty-fifth day was approved as printed by the following vote:

AYES: 152

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald

1805 *Journal of the House*

McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 003

Atkins	Ellinger	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 005

Colona	Hodges	Meadows	Swinger	Walton Gray
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VACANCIES: 003

SPECIAL RECOGNITION

The family of the late James Ide, V, Staff Sergeant, United States Army, was introduced and presented a resolution by Representatives Casey and Fallert. The Ide family was accompanied by Staff Sergeant Ide's partner "Daphne," a Belgian Malinois bomb-sniffing canine, who faithfully served her master until his death on August 29, 2010.

HOUSE RESOLUTION

Representative Walton Gray offered House Resolution No. 3102.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3028 through House Resolution No. 3101

House Resolution No. 3103 through House Resolution No. 3139

VETOED HOUSE BILL

CCS SS HCS HB 193, relating to congressional districts, was taken up by Representative Diehl.

Representative Diehl moved that **CCS SS HCS HB 193** be passed, the objections of the Governor thereto notwithstanding.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 004

Colona	Hodges	Swinger	Walton Gray
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VACANCIES: 003

1807 *Journal of the House*

On motion of Representative Diehl, **CCS SS HCS HB 193** was passed, the objections of the Governor thereto notwithstanding, by the following vote:

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 044

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Holsman	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Hodges	Kelly 24	McCann Beatty	Pierson
Swinger	Walton Gray			

VACANCIES: 003

Speaker Pro Tem Schoeller assumed the Chair.

MOTION

Representative Silvey moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 122

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 031

Anders	Atkins	Carlson	Carter	Ellinger
Fallert	Harris	Kander	Kirkton	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Oxford	Pace
Peters-Baker	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Swearingen	Talboy	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Hodges	Hughes	Quinn	Still
Swinger	Walton Gray			

VACANCIES: 003

THIRD READING OF SENATE BILLS

HCS SB 173, relating to transportation and infrastructure, was taken up by Representative Cierpiot.

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 173, Page 1, In the Title, Line 3, by striking the following on said line “transportation and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative McCaherty offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said section and line the following:

“227.430. The portion of Missouri Highway 30 from State Route NN north three miles to one tenth of a mile southwest of old Missouri 30 in Jefferson County shall be designated the "SFC Wm. Brian Woods, Jr. Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 2** was adopted.

Representative Schad offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting after said line the following:

“302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) [A business, occupation, or] **Driving to or from the operator's places of employment;**
- (b) [Seeking medical treatment for such operator;
- (c)] **Attending school or other institution of higher education;**

[(d)] (c) Attending alcohol or drug treatment programs; or

[(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 11, Section 319.025, Line 38, by inserting after said line the following:

“577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "aggravated offender" is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) A "chronic offender" is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(4) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance;

(5) A "persistent offender" is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082; and

(6) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding.

(1) No prior offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(2) No persistent offender shall be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(3) No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment.

(4) No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment. In addition to any other terms or conditions of probation, the court shall consider, as a condition of probation for any person who pleads guilty to or is found guilty of an intoxication-related traffic offense, requiring the offender to abstain from consuming or using alcohol or any products containing alcohol as demonstrated by continuous alcohol monitoring or by verifiable breath alcohol testing performed a minimum of four times per day as scheduled by the court for such duration as determined by the court, but not less than ninety days. The court may, in addition to imposing any other fine, costs, or assessments provided by law, require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior conviction, plea of guilty, or finding of guilt in an intoxication-related traffic offense shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence received by a search of the records of the Missouri uniform law enforcement system, including criminal history records from the central repository or records from the driving while intoxicated tracking system (DWITS) maintained by the Missouri state highway patrol, or the certified driving record maintained by the Missouri department of revenue. After hearing the evidence, the court shall enter its findings thereon. A plea of guilty or a finding of guilt followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court or any combination thereof, shall be treated as a prior plea of guilty or finding of guilt for purposes of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 3** was adopted.

Representative Lampe offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said section and line the following:

“227.410. [The portion of U.S. Highway 160 in Greene County from the intersection of Farm Road 142 to the intersection of West Sunshine Street shall be designated the "Rabbi Abraham Joshua Heschel Memorial Highway".] **The portion of U.S. Highway 160 in Greene County from the intersection of West Mount Vernon Street to one-half mile south of the intersection of West Sunshine Street shall be designated the "Rabbi Ernest I. Jacob Memorial Highway".** The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 4** was adopted.

Representative Smith (150) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting immediately after said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet
between the extremes
of any group of two or
more consecutive axles,
measured to the nearest
foot, except where
indicated otherwise

feet	Maximum load in pounds				
	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		

14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log truck as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 5** was adopted.

Representative Hough offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;
- (4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

- (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. **No ordinance shall deny the use of commercial vehicles on all streets within the municipality.**

537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

2. **No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

3. **Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 6** was adopted.

Representative Torpey offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) "Board", the board of directors of a district;

(2) "Commission", the Missouri highways and transportation commission;

(3) "District", a transportation development district organized under sections 238.200 to 238.275;

(4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project”**

shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.

(6) "Public mass transportation system", a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Qualified electors", "qualified voters" or "voters":

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project. Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 7** was adopted.

Representative Schupp offered **House Amendment No. 8.***House Amendment No. 8*

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said section and line the following:

“227.424. The portion of Interstate 40/64 in St. Louis County from the Boone's Crossing overpass at mile marker 17.0 west to the Spirit of St. Louis Airport overpass at mile marker 13.8 shall be designated as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schupp, **House Amendment No. 8** was adopted.

On motion of Representative Cierpiot, **HCS SB 173, as amended**, was adopted.

On motion of Representative Cierpiot, **HCS SB 173, as amended**, was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	

NOES: 002

Marshall Webb

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Casey	Fallert	Hodges	Nasheed
Redmon	Swinger	Wright	Mr Speaker	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 163, relating to higher education governing boards, was taken up by Representative Thomson.

Representative Thomson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163, Page 1, Section 172.030, Line 7, by inserting at the end of said line the following:

"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term."; and

Further amend said bill, Page 2, Section 173.005, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in"; and

Further amend said bill, Page 7, Section 174.450, Line 30, by inserting at the end of said line the following:

"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 1** was adopted.

Representative Schupp offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163, Section 172.030, Page 1, Line 6, by inserting after the word, “appointment.” the words, “**One of the nine members may be a student curator who shall have full voting rights on the board.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references.

Representative Schupp moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Smith (150) assumed the Chair.

On motion of Representative Thomson, **HCS SCS SB 163, as amended**, was adopted.

On motion of Representative Thomson, **HCS SCS SB 163, as amended**, was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore
Wright

Hodges

Meadows

Swinger

Walton Gray

VACANCIES: 003

Representative Smith (150) declared the bill passed.

HCS SCS SB 219, relating to financial transactions, was taken up by Representative Wells.

Representative Wells offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 219, Page 1, Section 313.800, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"devices less winnings paid to wagerers"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1** was adopted.

Representative Gosen offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 219, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe, or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises of the insurer’s base operations within the disaster area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 2** was adopted.

Speaker Tilley resumed the Chair.

On motion of Representative Wells, **HCS SCS SB 219, as amended**, was adopted.

1825 *Journal of the House*

On motion of Representative Wells, **HCS SCS SB 219, as amended**, was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Conway 14	Conway 27	Crawford	Cross
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	Meadows	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wyatt	Zerr
Mr Speaker				

NOES: 036

Asbury	Bahr	Berry	Brattin	Cierpiot
Cookson	Cox	Curtman	Davis	Dugger
Entlicher	Franklin	Frederick	Fuhr	Hampton
Hughes	Johnson	Kelly 24	Kirkton	Klippenstein
Koenig	Lasater	Leach	Marshall	May
McCaherty	McNeil	Molendorp	Oxford	Pierson
Schieber	Schupp	Shumake	Smith 150	Still
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Day	Hodges	Lant	McNary
Sater	Swinger	Wright		

VACANCIES: 003

Speaker Tilley declared the bill passed.

HCS SB 220, relating to architects, engineers and surveyors, was taken up by Representative Diehl.

Representative Elmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 220, Page 3, Section 516.098, Line 6, by inserting immediately after said line the following:

“537.033. 1. As used in this section, unless the context clearly indicates otherwise, the following words shall mean:

(1) **"Design professional", an architect, landscape architect, professional land surveyor or professional engineer, licensed under the provisions of chapter 327 or any corporation authorized to practice architecture, landscape architecture, land surveying, or engineering under section 327.401 while acting within his or her scope of practice;**

(2) **"Peer review process", a process through which design professionals evaluate, maintain, or monitor the quality and utilization of architectural, landscape architectural, land surveying or engineering services, prepare internal lessons-learned, or exercise any combination of such responsibilities.**

2. A peer review process may be performed by the following, each of whom shall be deemed a peer reviewer:

(1) **An individual design professional or committee of design professionals appointed by a state, county or local society of design professionals;**

(2) **An individual design professional or committee of design professionals appointed by the partners, shareholders, or employed design professionals of a partnership or of a corporation authorized under section 327.401;**

(3) **Any individual design professional or committee of design professionals appointed by the partners, board of directors, chief executive officer, or the quality control director of a partnership or a corporation authorized under section 327.401 to practice architecture, landscape architecture, land surveying, or engineering, or by the owner of a sole proprietorship engaged in one or more of such professions.**

3. Each peer reviewer, member of a peer review committee, and each person, corporate director, partner, quality control director, or other design professional who testifies before, or provides information to, acts upon the recommendation of, or otherwise participates in the operation of, such a process shall be immune from civil liability for such acts so long as the acts are performed in good faith, without malice, and are reasonably related to the scope of inquiry of the peer review process.

4. Except as otherwise provided in this section, the interviews, memoranda, proceedings, findings, deliberations, reports, and minutes of the peer review process, or the existence of the same, concerning the professional services provided to a client or member of the public are privileged and shall not be subject to discovery, subpoena, or other means of legal compulsion for their release to any person or entity or be admissible into evidence in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. Except as otherwise provided in this section, no person who was in attendance at or participated in any peer review process or proceedings shall be permitted or required to disclose any information acquired in connection with or in the course of such proceeding, or to disclose any opinion, recommendation, or evaluation of the peer reviewer or any member of a peer review committee; provided, however, that information otherwise discoverable or admissible from original sources shall not be construed as immune from discovery or use in any proceeding merely because it was presented during proceedings before a peer reviewer, nor shall a member, employee, or agent involved in any such process, or other person appearing before a peer reviewer be prevented from testifying as to matters within his or her personal knowledge and in accordance with the other provisions of this section; except that, such witness shall not be questioned about testimony or other proceedings before any peer review process or peer reviewer or about opinions formed as a result of such process. The disclosure of any interview, memoranda, proceedings, findings, deliberations, reports, or minutes to any person or entity, including but not limited to governmental agencies, professional accrediting agencies, or other design professionals, whether proper or improper, shall not waive or have any effect upon its confidentiality, nondiscoverability, or nonadmissibility.

5. Nothing in this section shall limit authority otherwise provided by law of the Missouri board for architects, professional engineers, professional land surveyors and landscape architects to obtain information by subpoena or other authorized process from a peer reviewer or to require disclosure of otherwise confidential information developed outside of the peer review process which relate to matters and investigations within the jurisdiction of such licensing board.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS SB 220, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 220, as amended**, was read the third time and passed by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lampe	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McGhee	Molendorp	Nance	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 71
Smith 150	Solon	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 031

Anders	Atkins	Carlson	Carter	Casey
Ellinger	Hughes	Jones 63	Kirkton	Kratky
May	McCann Beatty	McDonald	McGeoghegan	McManus
Meadows	Montecillo	Newman	Oxford	Pace
Peters-Baker	Quinn	Schieffer	Schupp	Shively
Sifton	Spreng	Still	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 018

Colona	Day	Dieckhaus	Flanigan	Fraker
Hampton	Hodges	Kander	Lant	Leara
McCaherty	McNary	McNeil	Nasheed	Redmon
Sater	Swinger	Wright		

VACANCIES: 003

Speaker Tilley declared the bill passed.

HCS SB 282, relating to elections, was taken up by Representative Dugger.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 282, Section 115.761, Page 15, Line 17, by enclosing in brackets the phrase:

“one thousand dollars” on said line and inserting immediately thereafter the phrase: “**five thousand dollars for any election held on or before December 1, 2012, and ten thousand dollars for any election held thereafter**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 282, Page 1, Section A, Line 6, by inserting after all of said section and line the following:

“26.016. In the case of any vacancy for any cause in the office of lieutenant governor, the governor shall immediately fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the lieutenant governor under section 17, article IV, Constitution of Missouri. The governor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the lieutenant governor shall be suspended until the impeachment is determined. If the lieutenant governor is acquitted, the lieutenant governor shall be reinstated to office. If the lieutenant governor is convicted, the vacancy shall be filled in the same manner as provided in this section.

27.015. In the case of any vacancy for any cause in the office of attorney general, the governor shall immediately appoint an acting attorney general to fill such vacancy until the vacancy is filled by special election as provided in section 105.030 for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the attorney general under section 17, article IV, Constitution of Missouri. The acting attorney general shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the attorney general shall be suspended until the impeachment is determined. If the attorney general is acquitted, the attorney general shall be reinstated to office. If the attorney general is convicted, the vacancy shall be filled in the same manner as provided in this section.

28.190. In case of death, resignation, removal from office, impeachment, or vacancy from any cause in the office of secretary of state, the governor shall immediately [appoint a qualified person to] fill such vacancy **by special election as provided in section 105.030** for the remainder of the term in which such vacancy occurred [and] until [his] a successor is elected [or appointed, commissioned] and qualified[; and] **at the next election scheduled for the secretary of state under section 17, article IV, Constitution of Missouri.** The governor shall take charge of the office and superintend its business until such person is [appointed, commissioned] **elected** and qualified[; except that]. In case of impeachment **as provided in chapter 106**, the governor shall appoint a qualified person to serve only until such impeachment is determined, when the suspended officer, if acquitted, shall be reinstated in office[, or]. If the suspended officer is convicted, [a new appointment shall be made] **the vacancy shall be filled** by the governor as [in the case of other vacancies] **provided in this section.**

29.280. When a vacancy occurs in the office of state auditor, the governor shall immediately appoint an **acting** auditor to fill such vacancy **until the vacancy is filled by special election as provided in section 105.030** for the residue of the term in which the vacancy occurred[, and] until [his] a successor is elected [or appointed, commissioned] and qualified **at the next election scheduled for the state auditor under section 17, article IV, Constitution of Missouri.** **The acting auditor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the auditor shall be suspended until the impeachment is determined. If the auditor is acquitted, the auditor shall be reinstated to office. If the auditor is convicted, the vacancy shall be filled in the same manner as provided in this section.**

30.060. In case of death, resignation, removal from office, impeachment, or vacancy from any cause[, in the office of the state treasurer, the governor shall **immediately fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which such vacancy occurred until a successor is elected and qualified at the next election scheduled for the state treasurer under section 17, article IV, Constitution of Missouri.** The governor shall take charge of such office and superintend the business thereof until a successor is [appointed, commissioned] **elected** and qualified [except]. In case of impeachment **as provided in chapter 106**, when no [appointment] **election** shall be made until a determination of the matter is had, when, in the event of an acquittal, the suspended officer shall be reinstated in office. **If the treasurer is convicted, the vacancy shall be filled in the same manner as provided in this section.**

30.080. Immediately after the [appointment] **election** and qualification of a state treasurer, made to fill any vacancy occurring in said office, or the resumption of [his] duties by said officer, after the removal of any disability or temporary suspension therefrom the general assembly if in session, or, if such assembly be not in session, then the governor, shall cause a settlement to be made of the accounts of the former state treasurer, or any such office ad interim, remaining unsettled, and ascertain what balance, if any, is due the state or such officer, as the case may be.”;

and

Further amend said bill, Page 3, Section 78.090, Line 23, by inserting after all of said section and line the following:

“105.030. **1.** Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, **attorney general, secretary of state, state auditor, state treasurer**, state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person appointed after duly qualifying and entering upon the discharge of [his] **the** duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder of deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

2. Any vacancy occurring in the offices of lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, except for vacancies occurring under section 106.060, shall be filled by a special election called by the governor for that purpose. Upon receiving the notice of vacancies occurring under this subsection, the governor shall without delay issue a writ of election to fill the vacancy. The secretary of state shall conduct the special election as provided in chapter 115.

105.040. Whenever a vacancy in the office of senator of the United States from this state exists, the governor[, unless otherwise provided by law,] shall appoint a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected and qualified [according to law] **by a special election called by the governor for that purpose. Upon receiving the notice of a vacancy occurring in the office, the governor shall without delay appoint a person to fill the vacancy and issue a writ of election to fill the vacancy. The secretary of state shall conduct the special election as provided in chapter 115.**

105.050. If any vacancy shall happen from any cause in the office of the [attorney general,] circuit attorney, prosecuting attorney or assistant prosecuting attorney, the governor, upon being satisfied that such vacancy exists, shall appoint some competent person to fill the same until the next regular election for [attorney general,] prosecuting attorney or assistant prosecuting attorney, as the case may be; provided, in the case of a vacancy in the office of prosecuting attorney, if there is no qualified person in the county who can or will accept such appointment, then the governor may appoint any person who possesses all the qualifications set forth in section 56.010, RSMo, except the qualification as to residence.”; and

Further amend said bill, Page 19, Section 190.056, Line 88, by inserting after all of said section and line the following:

“[30.070. When a vacancy occurs in the office of state treasurer, the governor shall immediately appoint a state treasurer to fill such vacancy for the residue of the term in which the vacancy occurred, and until his successor is elected or appointed, commissioned and qualified.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Cauthorn offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 282, Page 1, In the Title, Line 2, by inserting after the word "sections" the number "11.010,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "twenty" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the number "11.010,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "twenty" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the word "sections" the numbers "11.010, 11.025,"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after all of said line the following:

"11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 3** was adopted.

Representative Wyatt offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 282, Page 19, Section 190.056, Line 88, by inserting after all of said section and line the following:

"Section 1. Notwithstanding the provisions of sections 77.230 and 78.440, any individual who is twenty four years of age or older shall be eligible to serve as mayor in a city of the third classification with a form of government organized under sections 78.430 to 78.640."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wyatt, **House Amendment No. 4** was adopted.

Representative Funderburk offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 282, Page 3, Section 115.015, Line 2, by inserting at the end of said line the following:

"with the powers and duties subject to the limitations set forth in the respective charter,"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Thomson offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 282, Page 1, Line 4, by inserting after all of said line the following:

‘Further amend said bill, Page 5, Section 115.123, Line 4, by removing the brackets from the phrase: “February or”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) resumed the Chair.

HCS SB 282, as amended, with House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, pending, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 18**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 5, Section 18.075, Line 9, by striking the number “\$115,877,446E” and inserting in lieu thereof the following:

“\$101,795,122”; and

Further amend Page 8, Section 18.125, Line 10, by striking the number “\$1,766,281” and inserting in lieu thereof the following:

“\$1,556,324”; and

Further amend Page 10, Section 18.145, Line 12, by striking the number “\$861,388” and inserting in lieu thereof the following:

“\$667,585”.

In which the concurrence of the House is respectfully requested.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Wells reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 504, 505 & 874** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 29** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 207** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 226** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 270** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 284** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#2 SCS SB 320** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 322** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS#2 SB 3, relating to elections, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Bill No. 3, Page 1, Section 115.276, Line 18, by inserting at the end of said line the following:

"publication under section 115.127,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Conway (27) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Bill No. 3, Page 1, Section 115.276, Lines 5 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"person in any election at an advance voting center in the"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

Representative Conway (27) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Higdon	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schatz
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

NOES: 097

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Hughes	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

1835 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Elmer	Frederick	Funderburk	Hodges
Holsman	Reiboldt	Sater	Swinger	Webber
Wright				

VACANCIES: 003

On motion of Representative Diehl, **HCS#2 SB 3, as amended**, was adopted.

On motion of Representative Diehl, **HCS#2 SB 3, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Hodges	Reiboldt	Richardson	Riddle
Sater	Swinger	Webber	Wright	

VACANCIES: 003

Representative Parkinson declared the bill passed.

HCS SB 282, as amended, with House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, pending, relating to elections, was again taken up by Representative Dugger.

On motion of Representative Thomson, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote:

AYES: 116

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 116	Casey	Cauthorn	Colona	Conway 27
Cookson	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Grisamore	Guernsey	Haefner
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Lichtenegger	May	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wyatt	Zerr
Mr Speaker				

NOES: 034

Bahr	Berry	Brattin	Brown 85	Burlison
Carlson	Cierpiot	Conway 14	Cox	Crawford
Curtman	Day	Dieckhaus	Elmer	Fuhr
Gosen	Hampton	Jones 89	Jones 117	Keeney
Koenig	Leach	Leara	Loehner	Long
Marshall	McCaherty	McNary	Neth	Ruzicka
Schad	Scharnhorst	Torpey	Wieland	

1837 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Gatschenberger	Hodges	Nasheed	Peters-Baker
Reiboldt	Sater	Swinger	Webber	Wright

VACANCIES: 003

On motion of Representative Funderburk, **House Amendment No. 5, as amended**, was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Asbury	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 046

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hummel
Jones 63	Kander	Kirkton	Kratky	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Barnes	Diehl	Flanigan	Hodges
Hubbard	Hughes	Jones 117	Kelly 24	Lampe
Leara	Peters-Baker	Reiboldt	Sater	Silvey
Spreng	Stream	Swinger	Webber	Wright

VACANCIES: 003

On motion of Representative Dugger, **HCS SB 282, as amended**, was adopted.

On motion of Representative Dugger, **HCS SB 282, as amended**, was read the third time and passed by the following vote:

AYES: 101

Allen	Anders	Asbury	Bahr	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 048

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Harris	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

1839 *Journal of the House*

ABSENT WITH LEAVE: 011

Barnes	Hodges	Hughes	Leara	Peters-Baker
Reiboldt	Sater	Stream	Swinger	Webber
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SB 207, relating to property taxes and energy, was taken up by Representative Pollock.

HCS SB 207 was laid over.

SS SB 306, relating to credit unions, was taken up by Representative Wells.

On motion of Representative Wells, **SS SB 306** was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Brown 116	Cox	Day	Dieckhaus
Diehl	Flanigan	Guernsey	Hodges	Hughes
Jones 117	Lant	Leara	Peters-Baker	Reiboldt
Sater	Swinger	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 57, relating to public administrators, was taken up by Representative Gatschenberger.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 57, Section 475.115, Page 1, Line 15, by inserting the following after all of said line:

“537.620. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, any three or more political subdivisions of this state may form a business entity for the purpose of providing liability and all other insurance, including insurance for elderly or low-income housing in which the political subdivision has an insurable interest, for any of the subdivisions upon the assessment plan as provided in sections 537.600 to 537.650. Any public governmental body or quasi-public governmental body, as defined in section 610.010, and any political subdivision of this state or any other state may join this entity and use public funds to pay any necessary assessments. Except for being subject to the regulation of the director of the department of insurance, financial institutions and professional registration under sections 375.930 to 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such business entity shall not be deemed to be an insurance company or insurer under the laws of this state, and the coverage provided by such entity and the administration of such entity shall not be deemed to constitute the transaction of an insurance business. **Risk coverages procured under this section shall not be deemed to constitute a contract, purchase, or expenditure of public funds for which a public governmental body, quasi-public governmental body, or political subdivision is required to solicit competitive bids.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1** was adopted.

Representative Cauthorn offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 57, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 11.010 and 475.115, RSMo, and to enact in lieu thereof three new sections relating to public"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 11.010 and 475.115, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 11.010, 11.025, and 475.115, to read as follows:

11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gatschenberger raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Cauthorn moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Gatschenberger, **HCS SCS SB 57, as amended**, was adopted.

On motion of Representative Gatschenberger, **HCS SCS SB 57, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair

Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Hodges	Hughes	Kelly 24	Leara
Nolte	Peters-Baker	Reiboldt	Sater	Silvey
Stream	Swinger	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SB 83, relating to sale of deficiency waiver addendums, was taken up by Representative Wells.

On motion of Representative Wells, **SB 83** was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee

1843 *Journal of the House*

McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Smith 71	Smith 150	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Diehl	Hodges	Hughes	Kelly 24
Leara	Nasheed	Peters-Baker	Reiboldt	Sater
Silvey	Stream	Swinger	Webber	Wright

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS#2 SB 96, relating to conveyances of state property, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS#2 SB 96** was adopted.

On motion of Representative Fitzwater, **HCS#2 SB 96** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp

Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 001

Schad

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Hodges	Hughes	Kelly 24	Leara
McGhee	Nolte	Peters-Baker	Reiboldt	Sater
Scharnhorst	Silvey	Stream	Swinger	Webber
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SB 165, relating to the Basic Civil Legal Services Fund, was taken up by Representative Cox.

On motion of Representative Cox, **SB 165** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Neth

1845 *Journal of the House*

Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Cross	Hodges	Hughes	Leara	Nance
Nolte	Peters-Baker	Redmon	Reiboldt	Sater
Schneider	Swinger	Webb	Webber	White
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SB 145, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting immediately after said line the following:

“311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide and pour distilled spirits, wine, or malt beverage samples off a licensed retail premises for tasting purposes provided no sales transactions take place. For purposes of this section, a "sales transaction" shall mean an actual and immediate exchange of monetary consideration for the immediate delivery of goods at the tasting site.

2. Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any temporary licensed retail premises as described in section 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.

3. (1) Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide or furnish distilled spirits, wine, or malt beverage samples on a licensed retail premises for customer tasting purposes so long as the winery, distiller, manufacturer, wholesaler, or brewer or designated employee has permission from the person holding the retail license. The retail licensed premises where such product tasting is provided shall maintain a special permit in accordance with section 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-sold retail license. No money or anything of value shall be given to the retailers for the privilege or opportunity of conducting the on-the-premises product tasting.

(2) Distilled spirits, wine, or malt beverage samples may be dispensed by an employee of the retailer, winery, distiller, manufacturer, or brewer or by a sampling service retained by the retailer, winery, distiller, manufacturer, or brewer. All sampling service employees that provide and pour intoxicating liquor samples on

a licensed retail premises shall be required to complete a server training program approved by the division of alcohol and tobacco control.

(3) Any distilled spirits, wine, or malt beverage sample provided by the retailer, winery, distiller, manufacturer, wholesaler, or brewer remaining after the tasting shall be returned to the retailer, winery, distiller, manufacturer, wholesaler, or brewer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Franz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or

account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 2** was adopted.

Representative Hummel offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The

director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, **environmental insurance premiums, backfill of areas where contaminated soil excavation occurs**, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the

remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148.

The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 [to 6] **and 5** of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer

operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city,

town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 6, Section 488.026, Line 12, by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered House Amendment No. 1 to House Amendment No. 4.

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 145, Page 2, Line 12, by inserting the following after all of said line:

“67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one

percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(1) Acquisition of land;

(2) Installation of infrastructure for industrial or business parks;

(3) Improvement of water and wastewater treatment capacity;

(4) Extension of streets;

(5) Providing matching dollars for state or federal grants;

(6) Marketing;

(7) **Construction and operation of job training and educational facilities;**

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to

serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

6. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

7. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

8. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

9. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Hough, **House Amendment No. 4, as amended**, was adopted.

Representative Talboy offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 145, Section 488.026, Page 6, Line 12, by inserting the following after all of said lines:

“537.620. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, any three or more political subdivisions of this state may form a business entity for the purpose of providing liability and all other insurance, including insurance for elderly or low-income housing in which the political subdivision has an insurable interest, for any of the subdivisions upon the assessment plan as provided in sections 537.600 to 537.650. Any public governmental body or quasi-public governmental body, as defined in section 610.010, and any political subdivision of this state or any other state may join this entity and use public funds to pay any necessary assessments. Except for being subject to the regulation of the director of the department of insurance, financial institutions and professional registration under sections 375.930 to 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such business entity shall not be deemed to be an insurance company or insurer under the laws of this state, and the coverage provided

by such entity and the administration of such entity shall not be deemed to constitute the transaction of an insurance business. **Risk coverages procured under this section shall not be deemed to constitute a contract, purchase, or expenditure of public funds for which a public governmental body, quasi-public governmental body, or political subdivision is required to solicit competitive bids.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 5** was adopted.

Representative Jones (89) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said line:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county

executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“50.1260. [1.] A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover **to the extent and in the time and manner as set forth in regulations and as otherwise provided by the board.**

[2. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life, or life expectancy, of the distributee or the joint lives, or joint life expectancy, of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required pursuant to 26 U.S.C. 401(a)(9); and the portion of any distribution that is not includable in gross income, determined without regard to the exclusion for net unrealized appreciation with respect to employer securities.

3. An eligible retirement plan is an individual retirement account, an individual retirement annuity, an annuity plan described in 26 U.S.C. 403(a), or a qualified trust described in 26 U.S.C. 401(a) that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.

4. A distributee includes a member, the member's surviving spouse and the member's former spouse who is the alternate payee pursuant to a qualified domestic relations order.

5. A direct rollover is a payment made, in accordance with the provisions of section 50.1250, to the eligible retirement plan specified by the distributee.

6. A distributee may elect a complete direct rollover with respect to all of the distribution or a partial direct rollover with respect to a portion of the distribution with the remainder paid directly to the distributee. The amount of a partial direct rollover must be at least five hundred dollars.

7. A distributee who does not make any election shall be deemed to have rejected the direct rollover option.

8. A distribution of less than two hundred dollars that otherwise would be an eligible rollover distribution shall not be an eligible rollover distribution if it is reasonable to expect that all such distributions to the distributee from the plan during the same calendar year will not exceed two hundred dollars.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

HCS SB 145, as amended, was laid over.

HCS#2 SB 96, relating to conveyances of state property, was again taken up by Representative Fitzwater.

On motion of Representative Fitzwater, the emergency clause was adopted by the following vote:

AYES: 139

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

1857 *Journal of the House*

NOES: 003

Korman Marshall Schad

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Conway 14	Flanigan	Hodges	Holsman
Hughes	Loehner	Molendorp	Newman	Nolte
Peters-Baker	Reiboldt	Sater	Schneider	Silvey
Swinger	Webber	Wright		

VACANCIES: 003

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 12 - Health Care Policy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 60 - Fiscal Review (Fiscal Note)
SS SCS SB 65 - Fiscal Review (Fiscal Note)
HCS SB 90 - Fiscal Review (Fiscal Note)
HCS#2 SCS SB 162 - Fiscal Review (Fiscal Note)
HCS SCS SB 356 - Fiscal Review (Fiscal Note)
SCS SB 122 - Health Insurance
SCS SB 368 - Tourism and Natural Resources

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 387**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 60**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 65**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 90**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 132**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 325**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 351**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 356**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 360**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 22**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 22, Page 4, Section 22.065, Line 4, by inserting immediately after said line the following:

"Section 22.070. To the Department of Transportation

For funding local and regional port authorities for construction, which includes planning, docks, buildings, roads, railroads, sewers, water and electric lines, land purchases, building purchases, landscaping, and equipment

From General Revenue. \$1,000,000"; and

Further amend bill totals accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 22, Page 3, Section 22.046, Line 1, by deleting the word "Department" and inserting in lieu thereof the following:

"Office"; and

Further amend said section, Line 5, by deleting the number: "\$1,100,000" and inserting in lieu thereof the following: "\$1,050,000".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 101**, entitled:

An act to repeal section 311.297, RSMo, and to enact in lieu thereof two new sections relating to liquor control.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 101, Page 2, Section 311.297, Line 36, by inserting after all of said line the following:

"311.482. 1. Notwithstanding any other provision of this chapter, a permit for the sale of **all kinds of** intoxicating liquor [as defined in section 311.020], **including intoxicating liquor in the original package, at retail by the drink** for consumption on the premises [where sold] **of the licensee** may be issued to any church, school, civic, service, fraternal, veteran, political, or charitable club or organization for the sale of such intoxicating liquor at a picnic, bazaar, fair, or similar gathering. The permit shall be issued only for the day or days named therein and it shall not authorize the sale of intoxicating liquor for more than seven days by any such club or organization.

2. To secure the permit, the applicant shall complete a form provided by the supervisor, but no applicant shall be required to furnish a personal photograph as part of the application. The applicant shall pay a fee of twenty-five dollars for such permit.

3. If the event will be held on a Sunday, the permit shall authorize the sale of intoxicating liquor on that day beginning at 11:00 a.m.

4. At the same time that an applicant applies for a permit under the provisions of this section, the applicant shall notify the director of revenue of the holding of the event and by such notification, by certified mail, shall accept responsibility for the collection and payment of any applicable sales tax. Any sales tax due shall be paid to the director of revenue within fifteen days after the close of the event, and failure to do so shall result in a liability of triple the amount of the tax due plus payment of the tax, and denial of any other permit for a period of three years. Under no circumstances shall a bond be required from the applicant.

5. No provision of law or rule or regulation of the supervisor shall be interpreted as preventing any wholesaler or distributor from providing customary storage, cooling or dispensing equipment for use by the permit holder at such picnic, bazaar, fair or similar gathering.

311.485. 1. The supervisor of liquor control may issue a temporary permit to caterers and other persons holding licenses to sell intoxicating liquor, **including intoxicating liquor in the original package**, by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The temporary permit shall be effective for a period not to exceed one hundred sixty-eight consecutive hours, and shall authorize the service of alcoholic beverages at such function, occasion or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every permit issued pursuant to the provisions of this section, the permittee shall pay to the director of revenue the sum of ten dollars for each calendar day, or fraction thereof, for which the permit is issued.

2. Except as provided in subsection 3 of this section, all provisions of the liquor control law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area of any county, in which is located the premises in which such function, occasion or event is held shall extend to such premises and shall be in force and enforceable during all the time that the permittee, its agents, servants, employees, or stock are in such premises. [Except for Missouri-produced wines in the original package, the provisions of this section shall not include the sale of packaged goods covered by this temporary permit.]

3. Notwithstanding any other law to the contrary, any caterer who possesses a valid state and valid local liquor license may deliver alcoholic beverages in the course of his or her catering business. A caterer who possesses a valid state and valid local liquor license need not obtain a separate license for each city the caterer delivers in, so long as such city permits any caterer to deliver alcoholic beverages within the city.

4. To assure and control product quality, wholesalers may, but shall not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight delivered and invoiced under the catering permit number, but not used, if the wholesaler removes the product within seventy-two hours of the expiration of the catering permit issued pursuant to this section.

311.486. 1. The supervisor of alcohol and tobacco control may issue a special license to caterers and other persons holding licenses to sell intoxicating liquor, **including intoxicating liquor in the original package**, by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion, or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The special license shall be effective for a maximum of fifty days during

any year, and shall authorize the service of alcoholic beverages at such function, occasion, or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every special license issued pursuant to the provisions of this subsection, the licensee shall pay to the director of revenue the sum of five hundred dollars a year payable at the same time and in the same manner as its other license fees.

2. The supervisor of alcohol and tobacco control may issue a special license to caterers and other persons holding licenses to sell intoxicating liquor by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion, or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The special license shall be effective for an unlimited number of functions during the year, and shall authorize the service of alcoholic beverages at such function, occasion, or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every special license issued pursuant to the provisions of this subsection, the licensee shall pay to the director of revenue the sum of one thousand dollars a year payable at the same time and in the same manner as its other license fees.

3. Caterers issued a special license pursuant to subsections 1 and 2 of this section shall report to the supervisor of alcohol and tobacco control the location of each function three business days in advance. The report of each function shall include permission from the property owner and city, description of the premises, and the date or dates the function will be held.

4. Except as provided in subsection 5 of this section, all provisions of the liquor control law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area of any county, in which is located the premises in which such function, occasion, or event is held shall extend to such premises and shall be in force and enforceable during all the time that the licensee, its agents, servants, employees, or stock are in such premises. [Except for wines in the original package, the provisions of this section shall not include the sale of packaged goods covered by this special license.]

5. Notwithstanding any other law to the contrary, any caterer who possesses a valid state and valid local liquor license may deliver alcoholic beverages, in the course of his or her catering business. A caterer who possesses a valid state and valid local liquor license need not obtain a separate license for each city the caterer delivers in, so long as such city permits any caterer to deliver alcoholic beverages within the city.

6. To assure and control product quality, wholesalers may, but shall not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight delivered and invoiced under the catering license number, but not used, if the wholesaler removes the product within seventy-two hours of the expiration of the catering function."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 101, Page 1, Section 311.087, Line 16, by inserting after all of said line the following:

"311.088. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a home rule city with more than four hundred thousand inhabitants and located in more than one county may be issued a special permit by the state and such city. Notwithstanding the provisions of 311.089 to the contrary, the special permit issued under this section shall allow the licensed premises to sell intoxicating liquor from 6:00 a.m. until 3:00 a.m. on the morning of the following day within one twenty-four hour period. Any person granted a special permit under this section shall only be authorized to receive up to six such special permits from the city in a calendar year.";
and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 190**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **CCS SS HCS HB 193**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the Roll Call on **CCS SS HCS HB 193**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 250**, entitled:

An act to repeal section 256.400, RSMo, and to enact in lieu thereof three new sections relating to well water.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 173, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

RECESS

Representative Jones (89) moved that the House stand in recess until such time as the Conference Committee Reports on House Bill No. 2 through House Bill No. 13 have been distributed, the Conference Committees on Budget adjourn with no action taken, or until 4:00 a.m., whichever comes first, and then stand adjourned until 10:00 a.m., Thursday, May 5, 2011.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 6**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 7**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 8**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 9**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 10**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 11**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 13**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ David Pearce
/s/ Timothy Green
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 5, 2011.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE

Thursday, May 5, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CANCELLED

CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CANCELLED

CORRECTIONS

Tuesday, May 10, 2011, 12:00 PM House Hearing Room 3.

Informational luncheon meeting at 12:00 noon

ECONOMIC DEVELOPMENT

Thursday, May 5, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Friday, May 6, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

HEALTH CARE POLICY

Monday, May 9, 2011, 12:30 PM House Hearing Room 5.

Public hearing will be held: SCR 12

Executive session will be held: HB 821

Executive session may be held on any matter referred to the committee.

CORRECTED

JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

LOCAL GOVERNMENT

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, May 5, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Change Hearing Room to House Hearing Room 6

CORRECTED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, May 5, 2011, House Hearing Room 6, 30 minutes after morning adjournment.

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 11

Executive session will be held: SCS SB 230

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SEVENTH DAY, THURSDAY, MAY 5, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl

1873 *Journal of the House*

- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HB 138 - Thomson
- 4 HCS HB 732, (Fiscal Review 5-3-11) - Brandom
- 5 HCS HB 504, 505 & 874 - Silvey
- 6 HB 658 - Schatz
- 7 HCS HB 999 - Schad
- 8 HCS HB 707 - Brown (50)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

SENATE BILLS FOR THIRD READING

- 1 HCS SB 207 - Pollock
- 2 HCS SB 145, as amended - Gatschenberger
- 3 HCS SCS SB 29 - Jones (117)
- 4 HCS SB 59 - Diehl
- 5 HCS SB 61 - Nasheed
- 6 SB 71 - Largent
- 7 HCS#2 SB 97 - Fitzwater
- 8 HCS SS SB 118 - Sater
- 9 HCS SB 187 - Guernsey
- 10 HCS SS SB 202 - Schoeller
- 11 HCS SS SB 226 - Franz
- 12 SB 237 - Barnes
- 13 HCS SB 243, (Fiscal Review 5-3-11), E.C. - Dieckhaus
- 14 HCS SB 250 - Schad
- 15 HCS SCS SB 270 - Dugger
- 16 HCS SB 284, E.C. - Sater
- 17 SS#2 SCS SB 320 - Silvey
- 18 HCS SB 322 - Kelly (24)
- 19 SCS SB 323, (Fiscal Review 5-3-11), E.C. - Allen
- 20 SB 38 - Carter
- 21 HCS SCS SB 60, (Fiscal Review 5-4-11) - Cox
- 22 SS SCS SB 65, (Fiscal Review 5-4-11) - Jones (89)
- 23 HCS SB 90, (Fiscal Review 5-4-11) - Burlison
- 24 HCS SS SCS SB 132, E.C. - Richardson
- 25 HCS#2 SCS SB 162, (Fiscal Review 5-4-11) - Guernsey
- 26 SS SB 238 - Hinson
- 27 HCS SB 325, E.C. - Smith (150)
- 28 HCS SS SCS SB 351 - Barnes
- 29 HCS SCS SB 356, (Fiscal Review 5-4-11), E.C. - Loehner
- 30 HCS SS SB 360, E.C. - Wyatt

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HBs 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger
- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day
- 10 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 11 SCS HB 256 - Cox
- 12 SCS HCS HB 214 - Zerr

- 13 SS SCS HB 137, as amended, E.C. - Thomson
- 14 SCS HCS HB 641 - Franz
- 15 HCS HB 197, SCA 1 - Jones (63)
- 16 HB 340, SA 1, E.C. - Klippenstein
- 17 SCS HCS HB 17, as amended - Silvey
- 18 SCS HCS HB 21 - Silvey
- 19 SCS HCS HB 18, as amended - Silvey
- 20 SCS HCS HB 22, as amended - Silvey
- 21 SCS HCS HB 250 - Cox
- 22 SCS HB 101, as amended - Loehner

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SS#2 SCS SB 8, as amended (request House recede/grant conference) - Fisher
- 2 HCS SB 173, as amended, (request House recede/grant conference) - Cierpiot

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 2 - Silvey
- 2 CCR SCS HCS HB 3 - Silvey
- 3 CCR SCS HCS HB 4 - Silvey
- 4 CCR SCS HCS HB 5 - Silvey
- 5 CCR SCS HCS HB 6 - Silvey
- 6 CCR SCS HCS HB 7, as amended - Silvey
- 7 CCR SCS HCS HB 8 - Silvey
- 8 CCR SCS HCS HB 9 - Silvey
- 9 CCR SCS HCS HB 10 - Silvey
- 10 CCR SCS HCS HB 11 - Silvey
- 11 CCR SCS HCS HB 12 - Silvey
- 12 CCR SCS HCS HB 13 - Silvey

VETOED HOUSE BILLS

SS SCS HB 209 - Guernsey

SENATE CONCURRENT RESOLUTIONS

SCR 7, (3-17-11, Page 700) - Jones (89)

HOUSE RESOLUTIONS

HR 1826, (4-27-11, Pages 1649-1650) - Long

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, THURSDAY, MAY 5, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The steps of a good man are ordered by the Lord: and he delighteth in his way. (Psalm 37:23)

Eternal God, Who has promised unto the upright in heart a light that shines in the darkness and a strength that never fails, grant unto us such good attitudes and such high purposes that shall lift us above the shadow of doubt and fear and help us to realize the power of Your presence. Give to us the wings of faith, the lift of love, and the heart of hope as we commit ourselves anew to You and to Your will for our lives.

May we walk the ever changing roads of our daily life with confidence and courage, knowing that You are with us always and all the way. Give to us this day a healthy body, an understanding mind, a happy spirit, a loving heart and with it all a will ready to do good to others where we can do good and to be faithful to You. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyler May Rademan, Breanna Taylor Clark, Claire Thomas, Austin Janes, Salwa Mikhail, Parker Williams, Lucas Tournay, Jackson Wagner, Jamey Lemon, Ashley Wilson, Jennifer Fohey, Adrianna Dunn and Jackie Dowil.

The Journal of the sixty-sixth day was approved as printed.

HOUSE RESOLUTION

Representative McGhee offered House Resolution No. 3196.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3140 through House Resolution No. 3195

House Resolution No. 3197 through House Resolution No. 3211

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 732** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 60** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 65** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 90** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 162** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 323** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 356** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SB 145, as amended, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said section and line:

“143.789. The director of the department shall have the authority to impose an offset against a refund owed to any taxpayer for the following items and in the following order of priority:

- (1) Delinquent taxes owed by the taxpayer to the state of Missouri;**
- (2) Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425;**
- (3) Collection assistance fees authorized under section 143.790;**
- (4) Eligible claims under section 143.790; and**
- (5) Delinquent taxes owed by the taxpayer to the United States.**

143.790. 1. [Any hospital or health care provider who has provided health care services to an individual who was not covered by a health insurance policy or was not eligible to receive benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section

301, et seq., under chapter 208, RSMo, and the health insurance for uninsured children under sections 208.631 to 208.657, RSMo, at the time such health care services were administered, and such person has failed to pay for such services for a period greater than ninety days, may submit a claim to the director of the department of health and senior services for the unpaid health care services. The director of the department of health and senior services shall review such claim. If the claim appears meritorious on its face, the claim for the unpaid medical services shall constitute a debt of the department of health and senior services for purposes of sections 143.782 to 143.788, and the director may certify the debt to the department of revenue in order to set off the debtor's income tax refund. Once the debt has been certified, the director of the department of health and senior services shall submit the debt to the department of revenue under the setoff procedure established under section 143.783.

2. At the time of certification, the director of the department of health and senior services shall supply any information necessary to identify each debtor whose refund is sought to be set off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such debtor.

3. If a debtor identified by the director of the department of health and senior services is determined by the department of revenue to be entitled to a refund, the department of revenue shall notify the department of health and senior services that a refund has been set off on behalf of the department of health and senior services for purposes of this section and shall certify the amount of such setoff, which shall not exceed the amount of the claimed debt certified. When the refund owed exceeds the claimed debt, the department shall send the excess amount to the debtor within a reasonable time after such excess is determined.

4. The department of revenue shall notify the debtor by certified mail the taxpayer whose refund is sought to be set off that such setoff will be made. The notice shall contain the provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing to contest the setoff provided therein, and shall otherwise substantially comply with the provisions of subsection 3 of section 143.784.

5. Once a debt has been set off and finally determined under the applicable provisions of sections 143.782 to 143.788, and the department of health and senior services has received the funds transferred from the department of revenue, the department of health and senior services shall settle with each hospital or health care provider for the amounts that the department of revenue set off for such party. At the time of each settlement, each hospital or health care provider shall be charged for administration expenses which shall not exceed twenty percent of the collected amount.

6. Lottery prize payouts made under section 313.321, RSMo, shall also be subject to the setoff procedures established in this section and any rules and regulations promulgated thereto.

7. The director of the department of revenue shall have priority to offset any delinquent tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency debt or to meet a child support obligation that is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425, RSMo.

8.] As used in this section, the following terms shall mean:

(1) "Appeals committee", a committee consisting of at least three people appointed by a provider to hear patient appeals of review officer rulings:

- (a) That the provider has a valid claim;
- (b) Regarding the amount of the claim;
- (c) That a claim qualifies as an eligible claim under this section;

(2) "Collection assistance fee", a fee in the amount of fourteen dollars payable to the general fund of this state for each debt setoff being processed and an additional seventeen dollars payable to the claim clearinghouse for each debt being processed by the claim clearinghouse shall be recovered from each eligible claim to recover the costs incurred in collecting debts under this section;

(3) "Court", the supreme court, court of appeals, or any circuit court of the state, or any of their judicially or legislatively created subdivisions;

(4) "Department", the department of revenue;

(5) "Claim", a claim by a provider to receive payment of fifty dollars or more for health care services provided by such provider to a patient which has not been paid in whole or in part by the patient or third party payer for more than ninety days after the date the patient was first billed for such health care services;

(6) "Claim clearinghouse", the entity selected by the department to receive and submit eligible claims on behalf of a provider in accordance with this section. The claim clearinghouse shall be selected by the department through use of and in compliance with the applicable requirements of chapter 34;

(7) "Health care services", any services that a provider renders to a patient in the course of such provider's furnishing of ambulance services to the patient. Health care services shall include, but not be limited to, treatment of patients and transporting of patients incidental, or pursuant, to the delivery of ambulance services

by a provider or in furtherance of the purposes for which such provider is organized and licensed, provided that with respect to ground ambulance services provided by a provider that is not owned and operated by a city, county, municipality, political subdivision, governmental entity, or an entity that is exempt from federal and state income taxation, health care services shall only include those ground ambulance services provided by the provider that qualify and emergency services as defined in section 190.100 and are provided under the terms of an agreement between the provider and a city, county, municipality, political subdivision, or a governmental entity under section 190.105;

(8) "Patient", an individual who has received health care services from a provider and who was not, at the time such health care services were provided, eligible to receive benefits under the state's medical assistance program for needy persons under chapter 208 and the health insurance for uninsured children under sections 208.631 to 208.657;

(9) "Provider", any provider of ambulance services licensed by the Missouri department of health and senior services in accordance with chapter 190, to include but not be limited to any provider of air ambulance services licensed under section 190.108 and any provider of ground ambulance services licensed under section 190.109;

(10) "Refund", a patient's Missouri income tax refund which the department determines to be due pursuant to the provisions of this chapter;

(11) "Review officer", a person designated by a provider to review claims, at the request of a patient, to determine whether such provider has a valid claim, the amount of such claim, and whether such claim qualifies as an eligible claim under this section.

2. Prior to submission of a claim to the claim clearinghouse, a provider shall send written notice to a patient that such provider intends to submit a claim to the claim clearinghouse for collection by setoff under this section. The notice shall:

- (1) Provide the basis for the claim;
- (2) State that the provider intends to request that the department apply the patient's refund against the claim;
- (3) State that a collection assistance fee will be added to the claim if it is submitted for setoff;
- (4) Inform the patient of the right to contest the validity or amount of such claim by filing a request for a review with the provider; and
- (5) State the time limit and procedure for requesting such review, and that failure to request a review within thirty days following receipt of the notice required under this section shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

3. Upon receipt of the notice required under subsection 2 of this section, any patient seeking review of a claim with the provider shall file a written request for review within thirty days of receipt of such notice. A request for a review shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. A review officer shall be appointed by the provider to review such claim. In reviewing a claim, any issue that has previously been litigated in a court proceeding shall not be considered by the review officer. If the patient seeks a review of the claim and the review officer finds either that the claim is invalid or the claim does not qualify as an eligible claim under this section, the review officer's determination shall be final and binding on the provider and such provider shall have no right to appeal such determination. If all or part of the claim is found by the review officer to be valid and eligible for setoff under this section, the review officer shall notify the provider and the patient of such fact. Such notice shall:

- (1) Inform the patient that the patient has the right to appeal the review officer's determination by filing an appeal with the appeals committee;
- (2) State the time limit and procedure for requesting such an appeal; and
- (3) State that failure to request the appeal within thirty days following receipt of the notice required under this subsection shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

4. Upon receipt of the notice required under subsection 3 of this section, any patient seeking an appeal of a determination of a review officer under subsection 4 of this section shall file a written request for such appeal within thirty days following receipt of such notice. An appeal shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. An appeal of a review officer's determination shall be heard by an appeals committee. In an appeal under this section, any issue that has been previously litigated in a court proceeding shall not be considered. A decision made after an appeal under this section shall determine whether a claim is owed to the provider, the amount of the claim, and whether the claim is an eligible claim under this section.

5. If the appeals committee finds a claim to be invalid or otherwise ineligible under this section, the decision of the appeals committee shall be final and binding on the provider and may not be appealed by the provider. If all or part of the claim is found by the appeals committee to be valid and eligible for setoff under this section, the appeals committee shall notify the provider and the patient of such fact. Such notice shall:

(1) Inform the patient that the patient has the right to challenge the appeals committee determination by notifying the provider that it disagrees with the determination and advising the provider as to the basis of such disagreement;

(2) State that the patient must notify the provider of the challenge within ninety days of the patient's receipt of the notice from the appeals committee;

(3) Advise the patient that if the patient challenges the appeals committee's determination under this subsection, the provider will not be permitted to setoff the provider's claim against the patient's refund under this section unless and until the provider files suit against the patient in court seeking a determination that the provider's claim is valid regarding the amount of the claim and that the claim is eligible for setoff under this section, and the court determines that the provider's claim is valid, the amount of the provider's claim, and that provider's claim is eligible for setoff under this section; and

(4) Advise the patient that if the patient does not challenge the appeal committee's determination under this subsection, the provider will submit the claim to the claim clearinghouse for setoff by the department under this subsection.

6. If the provider prevails in the lawsuit filed under subsection 5 of this section, the provider may submit the claim to the claim clearinghouse for setoff by the department under this section. If the patient prevails in the lawsuit filed by the provider under subsection 5 of this section, the provider shall be:

(1) Forever barred from submitting the claim to the claim clearinghouse for setoff by the department under this section;

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient; and

(3) Obligated to reimburse the patient for court costs and attorney's fees associated with the lawsuit filed under subsection 5 of this section.

7. Any provider may submit a claim to the claim clearinghouse for review. In connection with its submission of a claim to the claim clearinghouse, the provider, whenever possible, shall provide the claim clearinghouse with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section. The provider shall also provide the claim clearinghouse with information demonstrating the provider's compliance with the requirements of this section with respect to the claim.

8. If the claim clearinghouse receives sufficient evidence that a provider has fully complied with the requirements of this section and finds the claim valid, the claim shall be deemed eligible for setoff by the department under this section and shall be forwarded to the department. In connection with its submission of the claim to the department, the claim clearinghouse, whenever possible, shall provide the department with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section.

9. If the claim clearinghouse determines that the provider has failed to comply with any applicable requirements in this section or that the claim is not valid, the claim clearinghouse shall return the claim to the provider.

10. If the department determines that a patient identified by a provider in an eligible claim filed with the department is entitled to a refund, the department shall notify the claim clearinghouse that a refund is available for setoff and the amount of such refund, and whether the refund results from a joint or combined return. Notwithstanding any provision of section 32.057 and any other confidentiality statute of this state to the contrary, the department may provide the claim clearinghouse with all information necessary to accomplish and carry out the provisions of this section and section 143.789, but shall not provide the claim clearinghouse with any information whose disclosure is prohibited by Section 6103(d) of the Internal Revenue Code of 1986, as amended. The information obtained by the claim clearinghouse from the department in accordance with this section and section 143.789 shall retain its confidentiality and shall only be used by the claim clearinghouse for the purpose described in this section and section 143.789.

11. (1) At that time, the department shall also notify the patient by regular mail that setoff against the patient's tax refund has been authorized under this section. The notice shall include the following information:

(a) The amount of the eligible claim and the name of the provider seeking setoff;

(b) That a setoff to the patient's refund against the eligible claim has been performed; and

(c) Any amount of the refund remaining after the offset of the eligible claim.

(2) In the case of a joint or combined return, the notice shall also state the name of the nonobligated taxpayer named in the return, if any, against whom no claim is asserted, the fact that no claim is asserted against such taxpayer, and the fact that such taxpayer is entitled to receive a refund if it is due the taxpayer regardless of the claim asserted against the taxpayer's spouse. In order to obtain the refund due the taxpayer, the taxpayer shall apply in writing for an apportionment of the refund with the department within thirty days of the date of receipt of the notice unless, in anticipation of the setoff of the taxpayer's spouse's refund, such nonobligated taxpayer provided the department with a request for apportionment of the anticipated refund which was filed at the same time the original tax return was filed, in which case the department shall determine the apportionment of the refund and forward the determination of apportionment and the nonobligated taxpayer's portion of the refund to the nonobligated taxpayer within fifteen working days of the transfer of the obligated taxpayer's portion of the refund to the claim clearinghouse. Unless a request for apportionment of the anticipated refund was provided to the department as provided in this section, within ninety days after the filing of such taxpayer's application for apportionment of the refund with the department a determination of apportionment shall be mailed to the nonobligated taxpayer by the department. The apportionment of the refund shall be final upon the expiration of thirty days from the date on which the determination of apportionment is mailed to the nonobligated taxpayer unless, within such thirty-day period, the nonobligated taxpayer applies in writing for a hearing with the department.

12. The department shall then pay to the claim clearinghouse the amount that the department has setoff for such provider, which shall include the collection assistance allocable to the claim clearinghouse. In the event the department is unable to setoff the entire eligible claim and collection assistance fee under this section, the setoff of the collection assistance fee shall have priority over the setoff of the eligible claim. If, after the department has paid to the claim clearinghouse the amount that the department has setoff for the provider, the provider is found not to have complied with any applicable requirement of this section, the provider shall send to the patient the entire amount of the claim offset by the department for the provider plus an amount equal to the collection assistance fee.

13. In addition to refunds, lottery prize payouts made under section 313.321 shall be subject to the setoff procedures established in this section.

14. The director of the department of revenue and the director of the department of health and senior services shall promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 145, Pages 6-7, Section 1, Lines 1-54, by deleting all of said section and inserting in lieu thereof the following:

“Section 1. 1. If approved by a majority of the voters voting on the proposal, any city, town, village, sewer district, or water supply district located within this state may, by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, village, sewer district, or water supply district, a fee not to exceed four dollars per month or forty-eight dollars annually.

2. The ballot of submission shall be in substantially the following form:

For the purpose of repair or replacement of lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system line, due to failure of the line, shall (city,

town, village, sewer district, or water supply district) be authorized to impose a fee not to exceed four dollars per month or forty-eight dollars annually on residential property for each lateral sewer service line providing sewer service within the (city, town, village, sewer district, or water supply district) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary lateral sewer service line repairs or replacements?

3. For the purpose of this section, a lateral sewer service line may be defined by local order or ordinance, but shall not include more than the portion of the sewer line which extends from the sewer mains owned by the utility or municipality to the point of entry into the premises receiving sewer service, and may not include facilities owned by the utility or municipality. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.

4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, village, sewer district, or water supply district may enact an order or ordinance for the collection of such fee. The funds collected under such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the lateral sewer service line repairs as defined in the order or ordinance and to reimburse the necessary costs of lateral sewer service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.

5. The city, town, village, sewer district, or water supply district may establish, as provided in the order or ordinance, regulations necessary for the administration of collections, claims, repairs, replacements and all other activities necessary and convenient for the implementation of any order or ordinance adopted and approved under this section. The city, town, village, sewer district, or water supply district may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any order or ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section not to exceed five percent of the fund on an annual basis.

6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village, sewer district, or water supply district that adopts an order or ordinance under this section, who now or hereafter collects any fee to provide for, ensure or guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy bills of property owners within the city, town, village, sewer district, or water supply district. All revenues received on such combined bill which are for the purpose of providing for, ensuring or guaranteeing the repair of lateral sewer service lines, shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village, sewer district, or water supply district. The collector of the city, town, village, sewer district, or water supply district may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 9** was adopted.

Representative Hinson offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. This section shall apply only to the provisions of chapter 87, RSMo 1959.

3. As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as well as any condition of cancer which may result from exposure to heat or radiation or to a known or suspected carcinogen as determined by the International Agency for Research on Cancer, which results in the total or partial disability or death to a uniformed member of a paid fire department who successfully passed a physical examination within five years prior to the time a claim is made for disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty unless the contrary be shown by competent evidence and it can be proven to a reasonable degree of medical certainty that the condition did not result nor was contributed to by the voluntary use of tobacco.

3. This section shall apply to paid members of all fire departments of all counties, cities, towns, fire districts, and other governmental units.

4. As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 10** was adopted.

Representative Schneider offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53 by inserting after said line the following:

“250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable

for sums due for more than ninety days]. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages, **nor shall it be deemed constructive eviction.**

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 11.**

*House Amendment No. 1
to
House Amendment No. 11*

AMEND House Amendment No. 11 to House Committee Substitute for Senate Bill No. 145, Page 1, Line 29, by inserting immediately after "damages" the following:

"for termination of such service"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Schneider, **House Amendment No. 11, as amended**, was adopted.

Representative Weter offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line the following:

"67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:

(1) "Authority", any county drinking water supply lake authority created by sections 67.4500 to 67.4520;

(2) "Conservation storage level", the target elevation established for a drinking water supply lake at the time of design and construction of such lake;

(3) "Costs", the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;

(4) "Project", recreation and tourist facilities and services, including, but not limited to, lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings, and any extensions or improvements of any facilities, and the acquisition of any property necessary therefore, all as may be related to the development of a water supply source, recreational and tourist accommodations, and facilities;

(5) "Water commission", a water commission owning a reservoir formed under sections 393.700 to 393.770;

(6) "Watershed", the area that contributes or may contribute to the surface water of any lake as determined by the authority.

67.4505. 1. Any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants or any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county drinking water supply lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. The authority may exercise the powers provided to it under section 67.4520 over the reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or more, as measured at its conservation storage level, and within the lake's watershed.

3. It shall be the purpose of each authority to promote the general welfare and a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake.

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality, or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation, or maintenance of any project or program undertaken under sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such project or program.

67.4510. A county drinking water supply lake authority shall consist of at least six but not more than thirty members, appointed as follows:

(1) Members of the water commission shall appoint all members to the authority, one-third of the initial members for a six-year term, one-third for a four-year term, and the remaining one-third for a two-year term, until a successor is appointed; provided that, if there is an odd number of members, the last person appointed shall serve a two-year term. Upon the expiration of each term, a successor shall be appointed for a six-year term;

(2) No person shall be appointed to serve on the authority unless he or she is a registered voter in the state for more than five years, a resident in the county where the water commission is located for more than five years, and over the age of twenty-five years. If any member moves outside such county, the seat shall be deemed vacant and a new member shall be appointed by the county commission to complete the unexpired term.

67.4515. 1. The water commission shall by resolution establish a date and time for the initial meeting of the authority.

2. At the initial meeting, and annually thereafter, the authority shall elect one of its members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may be a member of the authority. If not a member of the authority, the secretary or treasurer shall receive compensation that shall be fixed from time to time by action of the authority. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority may designate the secretary to act in lieu of the executive director. The secretary shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may from time to time deem proper and necessary.

3. Each member of the authority shall execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond covering each member and the

employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in the state as surety, and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the authority.

4. No authority member shall participate in any deliberations or decisions concerning issues where the authority member has a direct financial interest in contracts, property, supplies, services, facilities, or equipment purchased, sold, or leased by the authority. Authority members shall additionally be subject to the limitations regarding the conduct of public officials as provided in chapter 105.

67.4520. 1. The authority may:

- (1) Acquire, own, construct, lease, and maintain recreational or water quality projects;
- (2) Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property necessary to fulfill the purposes of the authority;
- (3) Contract and be contracted with, and to sue and be sued;
- (4) Accept gifts, grants, loans, or contributions from the federal government, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individuals, partnerships, or corporations;
- (5) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The authority may also contract with independent contractors for any of the foregoing assistance;
- (6) Disburse funds for its lawful activities and fix salaries and wages of its employees;
- (7) Fix rates, fees, and charges for the use of any projects and property owned, leased, operated, or managed by the authority;
- (8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted; however, said bylaws, rules, and regulations shall not exceed the powers granted to the authority by sections 67.4500 to 67.4520;
- (9) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement;
- (10) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of the authority and development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;
- (11) Cooperate with municipalities and other political subdivisions as provided in chapter 70;
- (12) Enter into any agreement with any other state, agency, authority, commission, municipality, person, corporation, or the United States, to effect any of the provisions contained in sections 67.4500 to 67.4520;
- (13) Sell and supply water and construct, own, and operate infrastructure projects in areas within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and other infrastructure improvements;
- (14) Issue revenue bonds in the same manner as provided under section 67.789; and
- (15) Adopt tax increment financing within its boundaries in the same manner as provided under section 67.790.

2. The state or any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to the authority or may place in its possession or control, by deed, lease, or other contract or agreement, either for a limited period or in fee, any property wherever situated.

3. The state or any political subdivision may appropriate, allocate, and expend such funds of the state or political subdivision for the benefit of the authority as are reasonable and necessary to carry out the provisions of sections 67.4500 to 67.4520.

4. The authority shall have the authority to exercise all zoning and planning powers that are granted to cities, towns, and villages under chapter 89, except that the authority shall not exercise such powers inside the corporate limits of any city, town, or village which has adopted a city plan under the laws of this state before August 28, 2011.

226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues, only if terms of the contract explicitly state such a condition and the contract shall further provide for a date or dates certain for repayment of funds and may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule or if repayment would jeopardize the receipt of federal highway moneys only if terms of the contract explicitly state such a condition and the contract shall further provide for a date or dates certain for repayment of funds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 12** was adopted.

Representative Torpey offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) "Board", the board of directors of a district;

(2) "Commission", the Missouri highways and transportation commission;

(3) "District", a transportation development district organized under sections 238.200 to 238.275;

(4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

(6) **“Public mass transportation system”, a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Qualified electors", "qualified voters" or "voters":

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project. Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 13** was adopted.

Representative Hummel offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 145, Section A, Page 1, Line 3, by inserting after all of said line the following:

"44.035. The name, address, social security number, as well as any other personal identifying information that is utilized in a voluntary registry of persons with health-related ailments created by a public governmental body to assist individuals in case of a disaster or emergency, shall not be considered a public record under the provisions of chapter 610. Nothing in this section shall authorize a public governmental body to deny a lawful request for such name, address, social security number, or other personal identifying information from a law

enforcement agency or any public governmental body that provides firefighting, medical or other emergency services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 14** was adopted.

Representative Lair offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"70.710. 1. The "Employer Accumulation Fund" is hereby created. It is the fund in which shall be accumulated the contributions made by employers for benefits, and from which shall be made transfers, as provided in sections 70.600 to 70.755.

2. When paid to the system, the employer contributions provided for in subsections 2 and 3 of section 70.730 shall be credited to the employer accumulation fund account of the employer making the contributions.

3. When an allowance other than a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, there shall be transferred to the benefit reserve fund from his employer's account in the employer accumulation fund the difference between the reserve for the allowance and the accumulated contributions standing to his credit in the members deposit fund at the time the allowance first becomes due and payable, of the member or former member to whom or on whose behalf the allowance is payable.

4. A separate account shall be maintained in the employer accumulation fund for each employer. No employer shall be responsible for the employer accumulation fund liabilities of another employer.

5. When a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, the accrued service pension reserve covering the retiring member shall be calculated in the manner provided for in subsection 3 of section 70.730, as of the effective date of the disability allowance. Such reserve shall be transferred to the benefit reserve fund from the employer's account in the employer accumulation fund.

70.720. 1. The "Casualty Reserve Fund" is hereby created. It is the fund in which shall be accumulated the contributions made by employers for pensions **either** to be paid members who retire on account of disability **or that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee**, and from which shall be made transfers as provided in sections 70.600 to 70.755.

2. When paid to the system, the employer contributions provided for in subsection 4 of section 70.730 shall be credited to the casualty reserve fund.

3. When a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, there shall be transferred to the benefit reserve fund from the casualty reserve fund an amount equal to the reserve for the allowance, minus:

(1) The accumulated contributions, standing to the member's credit in the members deposit fund at the time the allowance first becomes due and payable; and

(2) The accrued service pension reserve determined pursuant to subsection 5 of section 70.710.

70.730. 1. Each employer's contributions to the system shall be the total of the contribution amounts provided for in subsections 2 through 5 of this section; provided, that such contributions shall be subject to the provisions of subsection 6 of this section.

2. An employer's normal cost contributions shall be determined as follows: Using the financial assumptions adopted by the board from time to time, the actuary shall annually compute the rate of contributions which, if paid

annually by each employer during the total service of its members, will be sufficient to provide the pension reserves required at the time of their retirements to cover the pensions to which they might be entitled or which might be payable on their behalf. The board shall annually certify to the governing body of each employer the amount of membership service contribution so determined, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

3. An employer's accrued service contributions shall be determined as follows: Using the financial assumptions adopted by the board from time to time, the actuary shall annually compute for each employer the portions of pension reserves for pensions which will not be provided by future normal cost contributions. The accrued service pension reserves so determined for each employer less the employer's applicable balance in the employer accumulation fund shall be amortized over a period of years, as determined by the board. Such period of years shall not extend beyond the latest of (1) forty years from the date the political subdivision became an employer, or (2) thirty years from the date the employer last elected to increase its optional benefit program, or (3) fifteen years from the date of the annual actuarial computation. The board shall annually certify to the governing body of each employer the amount of accrued service contribution so determined for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

4. The employer's contributions for the portions of disability pensions **or pensions that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** not covered by accrued service pension reserves shall be determined on a one-year term basis. The board may determine different rates of contributions for employers having policeman members or having fireman members or having neither policeman members nor fireman members. The board shall annually certify to the governing body of each employer the amount of contribution so ascertained for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time ascertain. When received, such payments shall be credited to the casualty reserve fund.

5. Each employer shall provide its share, as determined by the board, of the administrative expenses of the system and shall pay same to the system to be credited to the income-expense fund.

6. The employer's total contribution to the system, expressed as a percent of active member compensations, in any employer fiscal year, beginning with the second fiscal year that the political subdivision is an employer, shall not exceed its total contributions for the immediately preceding fiscal year, expressed as a percent of active member compensations, by more than one percent."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lair, **House Amendment No. 15** was adopted.

Representative Nichols offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 145, Page 6, Section 488.026, Line 12, by inserting after all of said line the following:

"523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate**

appraiser, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Nichols, **House Amendment No. 16** was adopted.

Representative Asbury offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, Section A, Line 3, by inserting immediately after said section and line, the following:

"50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or higher, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section and such notice must include a published summary of the proposed reductions and an explanation of the shortfall. If the county has a website, publication on the website will satisfy the notice requirement for this section.

5. This section shall expire on July 1, 2015.

6. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Hodges	McGhee	Meadows	Parkinson
Redmon	Reiboldt	Sater	Swinger	Webber
Wright				

VACANCIES: 003

On motion of Representative Asbury, **House Amendment No. 17** was adopted.

Representative Funderburk offered **House Amendment No. 18.**

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. [Effective January 1, 2008,] **No municipality shall approve a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto**, if, after concluding the hearing required under this section, the commission **formed under subsection 3 of section 99.820** makes a recommendation under section 99.820 in opposition to [a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve] such project, plan, designation, or amendments [shall do so only upon a two-thirds majority vote of the governing body of such municipality] **provided, however, that a municipality may approve such project, plan, designation, or amendment if such municipality places the question before the qualified voters residing within such municipality and such question is approved by voters voting thereon.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 18** was adopted by the following vote:

AYES: 116

Allen	Anders	Atkins	Aull	Bahr
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Colona	Conway 14	Conway 27	Cookson	Cross
Curtman	Davis	Day	Dieckhaus	Ellinger
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Funderburk	Gatschenberger	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Kratky	Lant	Largent	Lasater
Leach	Lichtenegger	Marshall	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 030

Asbury	Barnes	Bernskoetter	Carlson	Cauthorn
Cierpiot	Cox	Crawford	Diehl	Dugger
Elmer	Entlicher	Franklin	Franz	Gosen
Guernsey	Houghton	Kirkton	Korman	Lauer
Loehner	Long	May	Pollock	Richardson
Schad	Schoeller	Schupp	Smith 71	Wells

PRESENT: 000

ABSENT WITH LEAVE: 014

Denison	Hodges	Lair	Lampe	Leara
Meadows	Redmon	Reiboldt	Riddle	Sater
Swearingen	Swinger	Webber	Wright	

VACANCIES: 003

Representative Diehl offered **House Amendment No. 19**.

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"67.1000. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

- (1) Any county [or of];
- (2) Any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly[, or of];
- (3) Any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand[.].

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

[2.] 3. As used in this section and section 67.1002, the term "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter, except that in any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, "transient guests"[, as used in this section and section 67.1002,] means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.

[3.] 4. Provisions of this section to the contrary notwithstanding, the governing body of any home rule city with more than thirty-nine thousand six hundred but fewer than thirty-nine thousand seven hundred inhabitants and partially located in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of such city submits to the voters of the city at an election permitted under section 115.123 a proposal to authorize the governing body of the city to impose a tax under the provisions of this [section] **subsection** and section 67.1002. The tax authorized by this [section] **subsection** and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

5. Notwithstanding any other provision of this section to the contrary, the governing body of any city or county with more than three hundred fifty hotel and motel rooms within the boundaries of such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under this subsection and section 67.1002. The tax authorized by this subsection and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau. Such convention and visitors bureau shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

6. Notwithstanding any other provision of law to the contrary, the taxes authorized in this section and section 67.1002 shall not be imposed by the following cities or counties:

(1) Any city or any county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such city or county or a portion thereof under this section and section 67.1002 or any other law of this state; or

(2) Any city not already imposing a tax under this section and section 67.1002 and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section and section 67.1002 or any other law of this state, except that cities of the third classification with more than two thousand five hundred hotel and motel rooms and located in a county of the first classification where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in subsection 5 of this section of not more than one-half percent per occupied room per night.

7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.

67.1002. 1. The question shall be submitted in substantially the following form:

Shall the (City or County) levy a tax of percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city or county, where the proceeds of which shall be expended for promotion of tourism **or funding a convention and visitors bureau?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city or county shall have no power to impose the tax authorized by this section unless and until the governing body of the city or county again submits the question to the qualified voters of the city or county and such question is approved by a majority of the qualified voters voting on the question.

2. On and after the effective date of any tax authorized under the provisions of this section and section 67.1000, the city or county which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city or county which levied the tax may adopt rules and regulations for the internal collection of such tax by the city or county officers usually responsible for collection and administration of city or county taxes; or

(2) The city or county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section and section 67.1000. In the event any city or county enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section and section 67.1000, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section and section 67.1000. The tax authorized under the provisions of this section and section 67.1000 shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection.

3. If a tax is imposed by a city or county under this section and section 67.1000, the city or county may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter.

67.1003. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) Any city or county[, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state,] having more than three hundred fifty hotel and motel rooms inside such city or county;

(2) A county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants;

(3) A third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand;

(4) A county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand;

(5) Any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand;

(6) Any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants;

(7) Any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants;

(8) Any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed [in any city or county already imposing such tax pursuant to any other law of this state, except that] **by the following cities or counties:**

(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county or a portion thereof under this section or any other law of this state; or

(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section or any other law of this state.

4. Cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

[4.] 5. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

[5.] 6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011."; and

Further amend said bill, Page 7, Section 1, Line 54, by inserting after all of said line the following:

"[67.1005. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or

county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. The tax authorized in this section shall not be imposed in any city or county where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof is imposed pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms and located in a county of the first class where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in this section of not more than one-half percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent?

☐ YES

☐ NO

4. As used in this section, "transient guests" shall mean a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 19** was adopted.

Representative Diehl offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Bill No. 145, Page 3, Section 56.807, Line 60, by inserting after all of said line the following:

"66.640. 1. As used in this section, the following terms mean:

(1) "Distressed municipality", any city, town, or village located in any county with a charter form of government and with more than one million inhabitants and that is in "Group B" under sections 66.600 to 66.630;

(2) "Emergency telephone service", a telephone system using a single three-digit number, "911", for reporting police, fire, medical, or other emergency situations;

(3) "Peace officer", any peace officer as defined in section 590.010 who is licensed under chapter 590;

(4) "POST commission", the police officer standards and training commission established in chapter 590.

2. Every distressed municipality shall provide at least the following level of municipal services:

(1) An emergency telephone service;

(2) Law enforcement twenty-four hours per day, seven days per week by armed peace officers;

(3) Policies regarding pursuit and the use of force by peace officers;

(4) Benefits for injured peace officers;

(5) Construction code enforcement review, directly or by contract with a private or public agency;

(6) Adequate maintenance of public roads and streets;

(7) Weekly refuse and recycling collection;

(8) A balanced annual budget;

(9) An annual audit of the distressed municipality's finances by a certified public accountant.

3. If any distressed municipality fails to provide any of the services listed in subsection 2 of this section, the governing body of the county in which it is located may pursue the following remedies together or consecutively in any appropriate court with jurisdiction:

(1) Petition the court to compel the director of revenue to withhold the distribution of Group B sales tax revenues collected under this chapter on behalf of the noncompliant distressed municipality until the distressed municipality develops and adopts a plan to provide all of the services required under this section;

(2) Petition the court to authorize the county to administer the Group B sales tax revenues collected under this chapter on behalf of the noncompliant distressed municipality. If the court enters an order authorizing the county to administer the revenues under this subdivision, the director of revenue shall distribute such revenues to the county, and the county shall use such revenues to provide the services required under this section in the distressed municipality."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gatschenberger offered **House Amendment No. 1 to House Amendment No. 20.**

*House Amendment No. 1
to
House Amendment No. 20*

AMEND House Amendment No. 20 to House Committee Substitute for Senate Bill No. 145, Page 2, Line 21, by inserting after all of said line the following:

‘Further amend said bill, Section 67.319, Page 5, Line 53, by inserting the following after all of said line:

“321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

☐ YES

☐ NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.) ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.) FOR BOARD OF DIRECTORS

..... ☐

..... ☐

..... ☐

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. If a board of five members is

elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified[, provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified]. The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the (Insert name of district) Fire Protection District be increased to five members?

☐ YES

☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of four years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified[, provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified].

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) assumed the Chair.

On motion of Representative Gatschenberger, **House Amendment No. 1 to House Amendment No. 20** was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Diehl, **House Amendment No. 20, as amended**, was adopted.

Representative Cauthorn offered **House Amendment No. 21.**

House Amendment No. 21

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 11.010, 55.030, 56.807, 475.115, and 488.026, RSMo, and to enact in lieu thereof eight"; and

Further amend said bill, Page 1, Section A, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 11.010, 55.030, 56.807, 475.115, and 488.026, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 11.010, 11.025, 55.030, 56.807, 475.115, and 488.026, to read as follows:

11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 21** was adopted.

Representative Franklin offered **House Amendment No. 22.**

House Amendment No. 22

AMEND House Committee Substitute for Senate Bill No. 145, Page 2, Line 31, by inserting after all of said line the following:

"Further amend said bill, Page 5, Section 67.319, Line 53, by inserting after all of said section and line the following:

"Section 67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) **"Registered voter", any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities.

Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the**

district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.”; and

Further amend said bill, Section 1, Page 7, Line 54, by inserting after all of said section and line the following:

“[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent

gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES

☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 22** was adopted.

Representative Nolte offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, In the Title, Line 2, by inserting immediately after "RSMo," the following:

"section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session,"; and

Further amend said bill and page, Section A, Line 1, by inserting immediately after "RSMo," the following:

"section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section

141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session,"; and

Further amend said bill, Page 5, Section 67.319, Line 53, by adding after all of said section and line the following:

"141.210. Sections 141.210 to [141.810] **141.982** shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.982**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

(2) "Collector" shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

(3) "County" shall mean any county of the first class in this state having a charter form of government, any county of the first class not having a charter form of government with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class not having a charter form of government with a population of at least eighty-two thousand but less than eighty-five thousand;

(4) "Court" shall mean the circuit court of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

(5) "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;

(6) **"Land bank agency", an agency created under section 141.980;**

(7) **"Land bank commission", a commission created under section 141.980;**

(8) "Land taxes" shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;

[(7)] (9) "Land trustees" and "land trust" shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[(8)] (10) "Municipality" shall include any incorporated city or town, or a part thereof, located in whole or in part within a county of class one, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[(9)] (11) "Person" shall mean any individual, male or female, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(12) **"Private sale" and "private foreclosure sale", a sheriff's private foreclosure sale to a land bank agency under a tax lien foreclosure judgment as provided in sections 141.210 to 141.810 and sections 141.980 to 141.902;**

[(10)] (13) "School district", "road district", "water district", "sewer district", "levee district", "drainage district", "special benefit district", "special assessment district", or "park district" shall include those located within a county as such county is described in subdivision (3) of this section;

[(11)] (14) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

[(12)] (15) "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)] (16) "Tax district" shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)] (17) "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12) of] this section;

[(15)] (18) "Taxing authority" shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less recent date.

3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by the land trustees **or acquired by a land bank agency a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980**, shall be distributed to the owners of such liens in the order of the seniority of the liens, or their respective interests as shown by the records of the land trust **or such land bank agency**. Those holding liens of equal rank shall share in direct proportion to the amounts of their respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.982**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust **or where title to the real estate described in such tax bill is taken by the land bank agency under a deemed sale under subsection 3 of section 141.560**.

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall at his option designate the county counselor and such of his assistants as shall appear necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the county counselor, with the approval of the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable expenses as are necessary for the performance of his duties.

3. The delinquent land tax attorney and his assistants shall perform legal services for the collector and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but they shall not perform legal services for the land trust **or any land bank agency**.

4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

5. The compensation herein provided shall be the total compensation for a delinquent land tax attorney who is not also a county counselor, his assistants and employees, and when the compensation received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be credited and applied by the collector to the expense of the delinquent land tax attorney and to the compensation of his assistants and employees, and any sum then remaining shall be paid into the county treasury on or before the first day of March of each year and credited to the general revenue fund of the county.

6. A delinquent land tax attorney who is not also the county counselor shall make a return quarterly to the county commission of such county of all compensation received by him, and of all amounts owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of County, Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of County, Missouri,

Plaintiff

-vs.-

Parcels of Land Encumbered with Delinquent Tax Liens

Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to **either** be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.982** and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.982, or be sold by the sheriff at a private sale to a land bank agency if so designated by such land bank agency within thirty days after judgment of foreclosure has been entered. Any additional costs relating to such a private sale incurred by the county shall be reimbursed by such land bank agency to the county within thirty days after the county submits a bill therefor to such land bank agency.**

4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.982** a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.420. 1. Except as otherwise provided in subsection 3 of section 141.520, any person having any right, title or interest in, or lien upon, any parcel of real estate described in such petition, may redeem such parcel of real estate by paying to the collector all of the sums mentioned therein, including principal, interest, penalties, attorney's fees and costs then due, at any time prior to the time of the **public foreclosure sale or private** foreclosure sale of such real estate by the sheriff.

2. In the event of failure to redeem prior to the time of the **public foreclosure sale or private** foreclosure sale **of such parcel** by the sheriff, such person shall be barred and forever foreclosed of all his right, title and interest in and to the parcels of real estate described in such petition.

3. Upon redemption, as permitted by this section, the person redeeming shall be entitled to a certificate of redemption from the collector describing the property in the same manner as it is described in such petition, and the

collector shall thereupon note on his records the word "redeemed" and the date of such payment opposite the description of such parcel of real estate.

4. The collector shall promptly notify the taxing authority and the delinquent land tax attorney of such redemption, and such payment shall operate as a release of the lien of the tax bill or bills involved and as a dismissal of the suit so far as such tax bill or bills are concerned.

141.430. 1. Upon the filing of such suits with the circuit clerk, the delinquent land tax attorney shall forthwith cause a notice of foreclosure to be published four times, once a week, during successive weeks, and on the same day of each week, in a daily newspaper of general circulation regularly published in such county, qualified according to law for the publication of public notices and advertisements.

2. Such notice shall be in substantially the following form:

NOTICE OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES,
BY ACTION IN REM

Public notice is hereby given that on the day of, 20.., the Collector of Revenue of County, Missouri, filed a petition, being suit No., in the Circuit Court of County, Missouri, at (stating the city), for the foreclosure of liens for delinquent land taxes (except liens in favor of the United States of America, if any) against the real estate situated in such county, all as described in said petition.

The object of said suit is to obtain from the Court a judgment foreclosing the tax liens against such real estate and ordering the sale of such real estate for the satisfaction of said tax liens thereon (except liens in favor of the United States of America, if any), including principal, interest, penalties, attorneys' fees and costs. Such action is brought against the real estate only and no personal judgment shall be entered therein.

The serial number assigned by the Collector to each parcel of real estate, a description of each such parcel, a statement of the total principal amount of all delinquent tax bills against each such parcel of real estate, all of which, as to each parcel, is more fully set out and itemized in the aforesaid petition, and the name of the last known person appearing on the records of the collector in whose name said tax bills were listed or charged for the year preceding the calendar year in which the list described in said petition was filed with the collector, are, respectively, as follows: (Here set out the respective serial numbers, descriptions, names, and statements of total principal amounts of tax bills, next above referred to.)

The total principal amounts of delinquent taxes set out in this notice do not include the lawful interest, penalties, attorneys' fees and costs which have accrued against the respective parcels of real estate, all of which in each case is set out and itemized in the aforesaid petition.

Any person or taxing authority owning or holding any tax bill or claiming any right, title or interest in or to or lien upon any such parcel of real estate, must file an answer to such suit in the office of the Circuit Clerk of the aforesaid County, and a copy of such answer with the Delinquent Land Tax Attorney at the office of the Collector of Revenue of said County, on or before the day of, 20.., and in such answer shall set forth in detail the nature and amount of such interest and any defense or objection to the foreclosure of the tax liens, or any affirmative relief he or it may be entitled to assert with respect thereto.

Any person having any right, title or interest in or to, or lien upon, any parcel of such real estate, may redeem such parcel of real estate by paying all of the sums mentioned therein, to the undersigned Collector of Revenue, including principal, interest, penalties, attorneys' fees and costs then due, at any time prior to the time of the **public foreclosure sale or the private** foreclosure sale of such real estate by the sheriff.

In the event of failure to answer or redeem on or before the date herein fixed as the last day for filing answer in the suit, by any person having the right to answer or redeem, such person shall be forever barred and foreclosed as to any defense or objection he might have to the foreclosure of such liens for delinquent taxes and a judgment of foreclosure may be taken by default. Redemption may be made, however, up to the time fixed for the holding of sheriff's **public foreclosure sale or the private** foreclosure sale of any such real estate, and thereafter there shall be no equity of redemption and each such person having any right, title or interest in or to, or any lien upon, any such parcel of real estate described in the petition so failing to answer or redeem as aforesaid, shall be forever barred and foreclosed of any right, title or interest in or lien upon or any equity of redemption in said real estate.

.....
Collector of Revenue
County, Missouri
.....
Address

.....
Delinquent Land Tax Attorney

.....
Address

.....
First Publication:

.....

141.450. Such notice shall be substantially as follows:

To the person to whom this notice is addressed:

You are the last known person, according to the records in this office, in whose name land taxes were billed or charged, as to one or more parcels of real estate described in a certain petition bearing cause No. (fill in number of case) filed in the Circuit Court of County, Missouri, at (fill in city), on, 20..., wherein a foreclosure of the lien of various delinquent tax bills is sought and a court order asked for the purpose of selling said real estate at a public sale **or a private sale** for payment of all delinquent tax bills, together with interest, penalties, attorney's fees and costs. Publication of notice of such foreclosure was commenced on the day of, 20..., in (here insert name of newspaper), a daily newspaper published in (here insert name of city), Missouri.

Unless all delinquent taxes be paid upon the parcels of real estate described in said petition and said real estate redeemed prior to the time of the **public** foreclosure sale **or private foreclosure sale** of such real estate by the sheriff, the owner or any person claiming any right, title or interest in or to, or lien upon, any such parcels of real estate, shall be forever barred and foreclosed of all right, title and interest and equity of redemption in and to such parcels of real estate; provided, however, that any such persons shall have the right to file an answer in said suit on or before the day of, 20..., in the office of the Circuit Clerk and a copy thereof with the Delinquent Land Tax Attorney, setting forth in detail the nature and amount of the interest and any defense or objection to the foreclosure.

Dated

.....
Delinquent Land Tax
Attorney

.....
Address

.....
Collector of Revenue
..... County, Missouri

.....
Address

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the **public** foreclosure sale **and the time of the private foreclosure sale**. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's **public or private** foreclosure sale **thereof** as provided in sections 141.210 to 141.810 **and sections 141.980 to 141.982**. If the parcel of real estate auctioned off at sheriff's **public** foreclosure sale **or sold at sheriff's private foreclosure sale** is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however,

that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's **public** foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

141.520. 1. **With respect to parcels of real estate to be sold in a public foreclosure sale**, after the judgment of foreclosure has been entered, or, after a motion for a new trial has been overruled, or, if an appeal be taken from such judgment and the judgment has been affirmed, after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, there shall be a waiting period of six months before any advertisement of sheriff's **public foreclosure** sale shall be published.

2. If any such parcel of real estate **to be sold in a public foreclosure sale** be not redeemed, or if no written contract providing for redemption be made within six months after the date of the judgment of foreclosure, if no motion for rehearing be filed, and, if filed, within six months after such motion may have been overruled, or, if an appeal be taken from such judgment and the judgment be affirmed, within six months after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, the sheriff shall commence to advertise the real estate described in the judgment and shall fix the date of **the public foreclosure** sale within thirty days after the date of the first publication of the notice of sheriff's sale as herein provided, and shall at such sale proceed to sell the real estate.

3. **With respect to parcels of real estate to be sold to a land bank agency in a private foreclosure sale**, after the judgement of foreclosure has been entered or after a motion for a new trial has been overruled or if an appeal is taken from such judgment and the judgment has been affirmed, after the collector shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the clerk, there shall be a waiting period of six months before such private foreclosure sale.

4. Any provisions of this chapter to the contrary notwithstanding, the owner of any parcel of real property against which a judgment has been rendered shall not have the right to redeem such property from said judgment if at the time of judgment such property is assessed as residential property and the judgment finds the property has been vacant for a period of not less than six months prior to the judgment. After a judgment as provided for in this section becomes final, the waiting period shall not apply to such judgment and a sale under execution of the judgment shall be immediately held as provided under the applicable provisions of this chapter.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of **the public or the private** foreclosure sale **of a parcel** by the sheriff, any interested party may redeem [any] **such** parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of **the public or the private** foreclosure sale **of a parcel** by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in [any] **such** parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties,

attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

[3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.]

[141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, other than a residential property which has been vacant for at least six months, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on the individual's behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments being made.

2. So long as such installments are paid according to the terms of the contract, the six-month waiting period shall be extended, but if any installment is not paid when due, the extension of such waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.]

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell **in a public foreclosure sale** the respective parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 at any of such courthouses **which are not sold in a private foreclosure sale**, but the sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

2. Such advertisements may include more than one parcel of real estate, and shall be in substantially the following form: NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES

No. In the Circuit Court of County, Missouri. In the Matter of Foreclosure of Liens for Delinquent Land Taxes Collector of Revenue of County, Missouri, Plaintiff, vs. Parcels of Land encumbered with Delinquent Tax Liens, Defendants.

WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the name of the person appearing in the petition in the suit, and the total amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions, names and total amounts of each judgment, next above referred to.) and,

WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

NOW, THEREFORE,

Public Notice is hereby given that I, Sheriff of County, Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the front door of the County Courthouse in, Missouri, on, the day of, 20., and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be sold to the Land Trust of (insert name of County), Missouri.

Any bid received shall be subject to confirmation by the court.

Sheriff of

County, Missouri. Delinquent Land Tax

Attorney Address: First Publication, 20. . .

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of **public** sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a **public foreclosure** sale to be held at ten o'clock a.m., date and place, **or at a private foreclosure sale, date, and place**, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale **for parcels to be sold in a public foreclosure sale, or not less than thirty days prior to the sale for parcels to be sold in a private foreclosure sale**, cause to be prepared and sent by [restricted, registered or certified] **first class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said records of the collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail.] If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown by the return receipt], then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

6. The collector may, at his or her option, concurrently with the beginning of the publication of sale **for parcels to be sold in a public foreclosure sale, or not less than thirty days prior to the sale for parcels to be sold in a private foreclosure sale**, cause to be prepared and sent by [restricted, registered or certified] **first class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate described in said petition, and to the addressee of such mortgagee or security holder according to the records of the collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail.] If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown by the return receipt], then the collector shall make a search of the records maintained by the county, including those kept by the recorder of

deeds, to discern the name and address of any security holder who, from such records, appears as a successor to the security holder to whom the original notice was addressed, and to cause another notice to be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail, and stating the reason for the nondelivery of such notice.

141.550. 1. The **public foreclosure** sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any **public foreclosure** sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality.

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

[141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more convictions based on violations occurring within a two-year period of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality.

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to

rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.]

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale **at public foreclosure sale**, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale at such time and place.

2. **With respect to any parcel of real estate not located within a municipality that is an appointing authority under section 141.980**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after any parcel of real estate has been offered for sale on three different days, which need not be successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees in the same way as his report of other bids is made. **The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's statements with any other taxing authorities.**

3. [The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.] **With respect to any parcel of real estate located within a municipality that is an appointing authority under section 141.980**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which such municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as the sheriff's report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's statements with any other taxing authorities.

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560 or by deed from land trustees under subsection 1 of section 141.980 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.**

2. The title to any real estate which shall vest in any purchaser **in a private or public foreclosure sale**, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any,

and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is **deemed** sold to the land trust **under subsection 2 of section 141.560 or deemed sold to a land bank agency under subsection 3 of section 141.560**, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land trust.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall forthwith determine whether an adequate consideration has been paid for each such parcel; **provided that the amount to be paid by a land bank agency under subsection 5 of section 141.982 for a parcel sold to such land bank agency in a private foreclosure sale shall be deemed to be adequate consideration therefor and no evidence of value shall be heard with respect to such parcel; and provided further, that the amount bid for a parcel by a land bank agency under subsection 3 of section 141.560 shall be deemed adequate consideration and no evidence of value shall be heard with respect to such parcel; and provided further, that the amount bid for a parcel by land trust under subsection 2 of section 141.560 shall be deemed adequate consideration and no evidence of value shall be heard with respect to such parcel.**

2. For this purpose the court shall have power to summon any city or county official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, he **or she** shall confirm the sale and order the sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the court shall confirm the sale if** the purchaser [may] increase his **or her** bid to such amount as the court [may deem] **deems** to be adequate[, whereupon the court may confirm the sale. If, however,] **and makes such additional payment, or if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon are not paid in full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but the purchaser declines to increase his or her bid to such an amount as the court deems adequate and make such additional payment, then the sale shall be disapproved if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon are paid in full by one or more interested parties to the suit,** the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale. [Unless the court requires evidence of the value of the property conveyed to land trust, none shall be required, and the amount bid by the land trustees shall be deemed adequate consideration.]

3. If the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

(1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;

(2) To the payment of all costs including appraiser's fee not to exceed fifteen dollars and attorney's fees;

(3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon.

If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any answering parties have specially appealed as provided in section 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall [escheat to the state as provided by law] **be distributed to the appropriate taxing authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed by the county, **as directed by the county** executive, or if the county does not have a county executive, **as directed by the county** commission of the county, one of whom shall be appointed by [the city council of that city] **that municipality** in the county which **is not an appointing authority under section 141.980** and then has the largest population according to the last preceding federal decennial census, and one of whom shall be appointed by [the board of directors of the] **that** school district **in the county** which **is not an appointing authority under section 141.980** and then has the largest population according to such census in the county. **If any such appointing authority fails to make any appointment of a land trustee after any term expires, then the appointment shall be made by the county.**

2. The terms of office of the land trustees shall be for four years each, except the terms of the first land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee appointed by a municipality or school district that becomes an appointing authority under section 141.980 shall thereupon terminate.**

3. Each land trustee shall have been a resident of the county for at least five years next prior to appointment, shall not hold other salaried or compensated public office by election or appointment during service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and shall have had at least ten years experience in the management or sale of real estate.

4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee appointed by the board of directors of the school district then having the largest population in the county shall serve for a term expiring February 1, 1947, and the land trustee appointed by the city council of the city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has been appointed and qualified.

5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same appointing authority which made the original appointment. If any appointing authority fails to make any appointment of a land trustee within the time the first appointments are required by sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment shall be made by the mayor of that city in the county then having the largest population, according to the last preceding federal decennial census.

6. The members shall receive for their services as land trustees a salary of two thousand four hundred dollars per year.

7. Each land trustee may be removed for cause by the respective appointing authority, after public hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of expenditure, prepared not later than [December tenth] **October first** of each year with copies delivered to the [county and city] **taxing authorities** that appointed trustee members, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the required annual budget of the land trust unless and until it has been approved by the governing bodies of the [county or city] **taxing authorities** that appointed trustee members. If [either] **any** of the governing bodies of the [county and city] **taxing authorities** that appointed trustee members fail to notify the land trust in writing of any objections to the proposed annual budget on or before [December] **November** twentieth, then such failure or failures to object shall be deemed approval. In the event objections have been made and a budget for the fiscal year beginning January first has not been approved by the governing bodies of the [county and city] **taxing authorities that appointed trustee members** on or before January first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year.

2. Copies of the budget shall be made available to the public on or before [December] **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth, in each year. The approved and adopted budget may be amended by the trustee members only with the approval of the governing bodies of the [county and city] **taxing authorities** that appointed trustee members.

3. If at any time there are not sufficient funds available to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor **by the ad valorem taxing authorities in the county that are not appointing authorities under section 141.980, [fifty] seven** percent thereof by the county commission of such county, and the other [fifty] **ninety-three** percent by all of the [municipalities in such county as defined in section 141.220] **other such ad valorem taxing**

authorities, in proportion to their assessed valuations [at the time of their last completed assessment for state and county purposes] of the properties then in the land trust inventory located within their respective taxing jurisdictions. The land trust shall have power to requisition such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such additional sums are agreed to and approved by [the county commission and the respective municipalities in such county so desiring to make such payment] **such ad valorem taxing authorities.** All moneys so requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of the fiscal year of the land trust for which such requisition is made, whichever is later, [and] **by the county paying seven percent thereof due from the county under this section and advancing the remaining ninety-three percent due from other ad valorem taxing authorities under this section on behalf of such other ad valorem taxing authorities, and such amounts so paid shall be deposited to the credit of the land trust in some bank or trust company, subject to withdrawal by warrant as herein provided. Amounts advanced by the county on behalf of any ad valorem taxing authority under this section shall be reimbursed to the county upon demand by the county or by the county withholding such amounts from distributions of tax moneys to such ad valorem taxing authority.**

4. The fiscal year of the land trust shall commence on January first of each year. Such land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time to time.

5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall have been approved by the land commissioner and shall bear the commissioner's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof. For any certification contrary thereto, such land commissioner shall be liable personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be promptly removed from office by the land trustees.

6. In addition to the annual audit provided for in section 141.760, the land trust may be performance audited at any time by the state auditor or by the auditor of any home rule city with more than four hundred thousand inhabitants and located in more than one county that is a member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall be made available to the public within thirty days of the completion of the audit.

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the proceeds therefrom shall be applied and distributed in the following order:

(1) **To the payment of amounts due from the land trustees under subsection 2 of section 141.560 on the sale or other disposition of such parcel;**

(2) To the payment of the expenses of sale;

[(2)] (3) The balance to be retained by the land trust to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for in its annual budget;

[(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, [may] **shall** be paid to the respective taxing authorities which, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July first of each year, and at such other times as the land trustees in their discretion may determine.

141.980. 1. Any municipality located wholly or partially within a county in which a land trust created under section 141.700 was operating on January 1, 2011, may establish a land bank agency for the management, sale, transfer, and other disposition of interest in real estate owned by such land bank agency. Any such land bank agency created shall be created to foster the public purpose of returning land, including land that is in a nonrevenue-generating nontax-producing status, to effective use in order to provide housing, new industry, and jobs for citizens of the establishing municipality, and to create new revenues for such municipality. Such land bank agency shall be established by order or ordinance as applicable. Such land bank agency shall not own any interest in real estate that is located outside such establishing municipality or outside such county. Within one year of the effective date of an order or ordinance passed establishing such a land bank agency, title to any real estate held by the land trustees of the land trust of such county that is located within the establishing municipality shall be transferred by deed to such land bank agency.

conveyance, or other instrument from the beneficiaries for which it acts, provided that each such deed shall recite whether the selling price represents a consideration equal to or in excess of two-thirds of the appraised value of such real estate so sold or conveyed. If such selling price represents a consideration less than two-thirds of the appraised value of the real estate, then the land bank commissioners shall first procure the consent thereto of not less than two of the three appointing authorities, which consent shall be evidenced by a copy of the action of each such appointing authority duly certified to by its clerk or secretary attached to and made a part of land bank commission official minutes.

3. As a condition of the sale or other authorized conveyance of ownership of any unimproved parcel of land classified as residential property owned by the land bank agency to a private owner, unless the owner owns an adjacent improved parcel, such owner may be required to enter into a contract with the land bank agency stipulating that such owner or owner's successor agree that the parcel of land shall, within one year of such sale, either be improved by a nontemporary structure or returned to the land bank agency by special warranty deed. The contract shall further state that if the private owner fails to comply with the stipulation, the owner shall be liable to the land bank agency for damages at the rate of one hundred dollars per month accruing on the first day of each month after the termination of the one-year period so long as the private owner fails to convey the parcel to the land bank agency. The performance of such agreement shall be secured by a deed of trust or other lien encumbering the parcel. If the land bank agency finds by resolution that the terms of the agreement have not been satisfied, the land bank agency shall be authorized to bring suit to recover damages for the breach and to redeem the ownership of such property without consideration or compensation by seeking a judicial foreclosure of such agreement under sections 443.190 to 443.260, except that upon final judgment of the court, title shall revert to the land bank agency without necessity of sale. Notwithstanding subsection 2 of this section, the original deed conveying title to the private owner shall contain a possibility of reverter upon the condition that the private owner fails to comply with the terms of the contract, with a right of reentry retained by the land bank agency. As an alternative to, or in addition to, seeking a judicial foreclosure, the land bank agency may exercise the right of reentry under chapter 524, 527, or 534. The land bank agency shall assume title to the land by filing a copy of the judgment with the recorder of deeds in the county where the property is located. Any property redeemed by the land bank agency under the provisions of this section shall be administered in the same manner as other property sold to the land bank agency.

4. It shall be the duty of such land bank agency to administer the tax delinquent lands and other lands in its possession as provided in this section.

(1) The land bank agency shall immediately assume possession and control of all real estate acquired by it under the provisions of sections 141.210 to 141.810 and sections 141.980 to 141.982 or otherwise and proceed to inventory and appraise such land, and thereafter keep and maintain a perpetual inventory of such real estate, except that individual parcels may be consolidated and grouped or regrouped for economy, utility, or convenience.

(2) The land bank agency shall use reasonable efforts, consistent with the funding available, to market the property in its inventory, and will endeavor to obtain a purchase price consistent with the market conditions for that particular type of property in a similar location, however, the land bank agency may take into consideration factors that include: the costs expended either by it or the municipality in which the property is located to continue to maintain the property while it is held in inventory, the detrimental impact of vacant property on other properties within its vicinity, the proposed use of the property, and the advantage of returning the property to the tax rolls for the benefit of all taxing authorities intended to benefit from proceeds generated by the land bank agency. The land bank agency shall maintain an inventory of the property held by it, and make it available to the public, through means that make the best use of its limited resources, including limiting accessibility through electronic means. The land bank agency shall systematically update its inventory information, no less than quarterly per year. The records from each transaction with respect to the transfer or exchange of property in the land bank agency's inventory shall be maintained, and provided upon request to any taxing authority intended to benefit from the proceeds of the land bank. A summary of all such transactions shall be prepared at least annually, and made publicly available upon request, and submitted with the budget request of such land bank as provided in subsection 6 of section 141.981.

(3) The land bank commissioners shall have power, and it shall be their duty, to manage, maintain, protect, rent, lease, repair, insure, alter, hold and return, assemble, sell, trade, acquire, exchange, or otherwise dispose of any such real estate, on such terms and conditions as may be determined in the sole discretion of the commissioners. The land bank commissioners may assemble tracts or parcels of real estate for public parks or any other purposes and to such end may exchange or acquire parcels, and otherwise effectuate such purposes by agreement with any taxing authority. Without limiting the foregoing power vested in the land bank commissioners to directly dispose of its inventory property, such commissioners may, but are not obligated to,

enter into listing or commission agreements with real estate brokers licensed to do business within the city, and such commissioners.

(4) The land bank agency shall adopt rules and regulations in harmony with sections 141.210 to 141.810 and sections 141.980 to 141.982, and shall keep records of all its transactions, which records shall be open to inspection of any taxing authority in the city at any time. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of such land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.980, and shall be available for public inspection at the office of the land bank agency and on the land bank agency's internet website, if it maintains a website. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the city that appoints members. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

5. The land bank commissioners may appoint a director and such other employees who are deemed necessary to carry out the responsibilities and duties imposed under sections 141.980 to 141.982, and may incur such other reasonable and proper costs and expenses as are related thereto. The director shall furnish a surety bond at the expense of the land bank agency in a penal sum of not less than ten thousand dollars, to be approved by the land bank commissioners, conditioned to guarantee the faithful performance of the director's duties. The bond shall be filed with the county clerk of the county. The director, who shall be a person experienced in the management and sale of real estate, shall be executive officer and administrator of the land bank agency, and shall manage all of its business, under the supervision, direction, and control of the land bank commissioners.

6. Each annual budget of the land bank agency shall be itemized as to objects and purposes of expenditure, prepared not later than December tenth of each year with copies delivered to the ad valorem taxing authorities that appointed members, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land bank agency during the forthcoming fiscal year. That budget shall not become the required annual budget of the land bank agency unless and until it has been approved by the governing bodies of the ad valorem taxing authorities that appointed members. If either of the governing bodies of the ad valorem taxing authorities that appointed members fails to notify the land bank agency in writing of any objections to the proposed annual budget on or before December twentieth, then such failure or failures to object shall be deemed approved. In the event objections have been made and a budget for the fiscal year beginning May first has not been approved by the governing bodies of the ad valorem taxing authorities that appointed members on or before May first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year. Copies of the budget shall be made available to the public on or before December tenth, and a public hearing shall be had thereon before December twentieth, in each year. The approved and adopted budget may be amended by the land bank commissioners only with the approval of the governing bodies of the ad valorem taxing authorities that appointed members.

7. The fiscal year of the land bank agency shall commence on May first of each year. Such land bank agency shall audit all claims for the expenditure of money and shall, acting by the chair or vice chair thereof, draw warrants therefor from time to time.

8. No warrant for the payment of any claim shall be drawn by such land bank agency until such claim shall have been approved by the director and shall bear the director's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof.

141.982. 1. Such land bank agency shall set up and maintain a perpetual inventory on each tract of its real estate, except that individual tracts may be consolidated and grouped or regrouped for economy or convenience.

2. When any parcel of real estate acquired by such land bank agency under a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

- (1) To the payment of the expenses of sale;

(2) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees, including any expenditures authorized by subsection 4 of section 141.981, as provided for in its annual budget;

(3) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit from the sale of parcels acquired by the land bank agency under a private foreclosure sale, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities. Distribution shall be made on January first and July first of each year, and at such other times as the land bank commissioners in their discretion may determine.

3. When any parcel of real estate acquired by such land bank agency under a private foreclosure sale is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of all land taxes and related charges then due on such parcel, subject to subsection 5 of section 141.982;

(2) To the payment of the expenses of sale;

(3) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees, including any expenditures authorized by subsection 4 of section 141.981, as provided for in its annual budget;

(4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, shall be paid in accordance with subdivision (3) of subsection 2 of this section.

4. Upon acquiring title to any real estate under a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980, such land bank agency shall immediately notify the county assessor of such ownership, and the interests of each taxing authority therein shall be exempt from all taxation, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor of such change of ownership.

5. Upon confirmation under section 141.580 of a sheriff's private foreclosure sale of a parcel of real estate to a land bank agency, the sheriff shall deliver a court administrator's deed for such parcel to the purchasing land bank agency and such land bank agency shall pay the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such parcel shall not be exempt from taxation; provided however, if all land taxes on such parcel are paid in full at the time of sale or other disposition of such parcel by the land bank agency or two years from the date of its acquisition by the land bank agency, whichever occurs first, then all interest and penalties that may have accrued thereon shall be abated.

6. Neither the land bank commissioners nor any salaried employee of the land bank agency provided for in sections 141.980 to 141.982 shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, purchase, sale, or other disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.982; provided further that neither the land bank commissioners nor any salaried employee of the land bank agency provided for in sections 141.980 to 141.982 shall have any relationship with, or be employed by, or otherwise receive any form of compensation from, any contractor or developer who purchases property from the land bank agency. Any person convicted of violating this subsection shall be deemed guilty of a felony and upon conviction thereof shall be sentenced to serve not less than two nor more than five years in the state penitentiary.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 23** was adopted.

Representative Ellinger offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said section and line:

“67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of five **or nine** members[.]. **The number of members of the board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are** to be appointed as follows:

(a) **For a five-member board:**

a. One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

[(b)] b. Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; **and**

[(c)] c. One member shall be appointed by the governing body of the county in which the city is located;

(b) **For a nine-member board:**

a. **Two members shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;**

b. **Five members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and**

c. **Two members shall be appointed by the governing body of the county in which the city is located.**

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are more than seven members initially appointed, the eighth and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth and seventh members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the two board member positions that were originally appointed to terms of four years. The eighth and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

[67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county, or state general, primary, or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or city or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax under and pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the

tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate city or municipal officer in the case of a city or municipal tax, and all expenditures of funds arising from the local option economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or city or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in and by this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process; and
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of five members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and

(c) One member shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities, towns or villages. Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects, or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project, or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project, or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project, or area designation.

15. Notwithstanding any other provision of law to the contrary, the local option economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the department of economic development shall submit to the joint committee on economic development a report which shall include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year; and

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings, or both;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

- (f) Marketing;
- (g) Administration and legal expenses; and
- (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.]”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered House Amendment No. 1 to House Amendment No. 24.

House Amendment No. 1
to
House Amendment No. 24

AMEND House Amendment No. 24 to House Committee Substitute for Senate Bill No. 145, Page 3, Line 16, by deleting all of said line and inserting in lieu thereof the following:

“term to which they were elected or appointed and until their successors are elected and qualified.

321.552. 1. **Any ambulance or fire protection district may impose a sales tax as provided in this section, except in the following counties:**

- (1) Any county of the first classification with over two hundred thousand inhabitants[, or];
- (2) Any county of the first classification [without a charter form of government and] with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; [or]
- (3) Any county of the first classification [without a charter form of government and] with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; [or]
- (4) Any county with a charter form of government with over one million inhabitants, **except as provided in subsection 9 of this section;** [or]
- (5) Any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants[.].

2. The governing body of any ambulance or fire protection district may impose a sales tax in an amount up to one-half of one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

[2.] 3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall (insert name of ambulance or fire protection district) impose a sales tax of (insert amount up to one-half) of one percent for the purpose of providing revenues for the operation of the (insert

name of ambulance or fire protection district) and the total property tax levy on properties in the (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

[3.] 4. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

[4.] 5. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

[5.] 6. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

[6.] 7. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

[7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

9. Any fire protection district in any county with a charter form of government and with more than one million inhabitants with a general revenue operating budget of less than five million dollars to which section 72.418 applies may impose a sales tax as provided in this section.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 24** was adopted.

On motion of Representative Ellinger, **House Amendment No. 24, as amended**, was adopted.

Representative Weter offered **House Amendment No. 25.**

House Amendment No. 25

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“70.660. 1. Except as otherwise provided herein, before the date the first payment of a person's allowance becomes due but not thereafter, a person about to become a retirant may elect to receive his or her allowance for life with or without a partial lump-sum distribution, as provided in this subsection. A person about to become a retirant may elect to receive a partial lump-sum distribution equal to twenty-four times the amount of his or her monthly allowance for life, not including any monthly temporary allowance which may be payable. Such lump sum shall be paid to the retirant, upon written application to the board, not fewer than ninety days nor more than one hundred fifty days after the date the first payment of his or her monthly allowance becomes due. The retirant's monthly life allowance shall be reduced to eighty-four percent if the retirant's age at the time of retirement is sixty, which percent shall be decreased by four-tenths of one percent for each year the retirant's age at the time of retirement is greater than sixty, or which percent shall be increased by four-tenths of one percent for each year the retirant's age at the time of retirement is less than sixty, **up to a maximum of ninety percent**. The reductions in monthly life allowance in this subsection shall be calculated and applied before any reductions under subsection 2 of this section are calculated and applied.

2. Before the date the first payment of a person's allowance becomes due but not thereafter, a person about to become a retirant may elect to have his or her allowance for life reduced but not any temporary allowance which may be payable, and nominate a beneficiary, as provided by option A, B, C, or D set forth below:

(1) Option A. Under option A, a retirant's allowance payable to the retirant shall be reduced to a certain percent of the allowance otherwise payable to the retirant. If such first payment due date is on or after October 1, 1998, such percent shall be eighty-five percent if the retirant's age and the retirant's beneficiary's age are the same on such first due date, which shall be decreased by three-quarters of one percent for each year that the beneficiary's age is less than the retirant's age, or which shall be increased by three-quarters of one percent, up to a maximum of ninety percent, for each year that the beneficiary's age is more than the retirant's age. Upon the retirant's death three-quarters of the retirant's reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid to his or her surviving beneficiary, nominated before such first payment due date but not thereafter, who was the retirant's spouse for not less than the two years immediately preceding such first payment due date, or another person aged forty years or older receiving more than one-half support from the retirant for not less than the two years immediately preceding such first payment due date.

(2) Option B. Under option B, a retirant's allowance payable to the retirant shall be reduced to a certain percent of the allowance otherwise payable to the retirant. If such first payment due date is on or after October 1, 1998, such percent shall be ninety percent if the retirant's age and the retirant's beneficiary's age are the same on such first payment due date, which shall be decreased by one-half of one percent for each year that the beneficiary's age is less than the retirant's age, or which shall be increased by one-half of one percent, up to a maximum of ninety-five percent for each year that the beneficiary's age is more than the retirant's age. Upon the retirant's death one-half of his or her reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid to the retirant's surviving beneficiary, nominated before such first payment due date but not thereafter, who was either the retirant's spouse for not less than the two years immediately preceding such first payment due date, or another person aged forty years or older receiving more than one-half support from the retirant for not less than the two years immediately preceding such first payment due date.

(3) Option C. Under option C, a retirant's allowance payable to the retirant shall be reduced to ninety-five percent of the allowance otherwise payable to the retirant if such first payment due date is on or after October 1, 1998. If the retirant dies before having received one hundred twenty monthly payments of his or her reduced allowance, his or her reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid for the remainder of the one hundred twenty months' period to such person as the retirant shall have nominated by written designation duly executed and filed with the board. If there is no such beneficiary surviving the retirant, the reserve for such allowance for the remainder of such one hundred twenty months' period shall be paid to the retirant's estate.

(4) Option D. Some other option approved by the board which shall be the actuarial equivalent of the allowance to which the member is entitled under this system.

3. The death of the beneficiary designated under option A or B of subsection 2 of this section before the death of the retirant after retirement shall, upon written notification to the system of the death of the beneficiary, cancel any optional plan elected at retirement to provide continuing lifetime benefits to the beneficiary and shall return the retirant

to his or her single lifetime benefit equivalent, to be effective the month following receipt of the written notification of the death of the beneficiary by the system.

4. If a member fails to elect a benefit option under subsection 2 of this section, his or her allowance for life shall be paid to the member as a single lifetime benefit.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 25** was adopted.

Representative Hampton offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“256.400. As used in sections 71.287 and 256.400 to [256.430] **256.433**, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Department", the department of natural resources;
- (2) "Director", the director of the department of natural resources;
- (3) "Division", the division of geology and land survey of the department of natural resources;
- (4) "Major water user", any person, firm, corporation or the state of Missouri, its agencies or corporations and any other political subdivision of this state, their agencies or corporations, with a water source and equipment necessary to withdraw or divert one hundred thousand gallons or more per day from any stream, river, lake, well, spring or other water source;
- (5) "State geologist", the director of the division of geology and land survey of the department of natural resources;
- (6) "Water source", any stream, river, lake, well, spring or other water source.

256.433. Notwithstanding any provision of law to the contrary, no major water user shall convey water withdrawn or diverted from within the Southeast Missouri Regional Water District created under section 256.643 when such withdrawal or diversion and subsequent conveyance to a location outside such district unduly interferes with the reasonable and customary activities of a major water user registered under section 256.410 located within said district. If such conveyance occurs, the attorney general or the party or parties affected may file an action for an injunction, however, in no case shall an injunction be issued if the injunction would be detrimental to public health or safety.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hampton, **House Amendment No. 26** was adopted.

Representative Schieber offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"67.1956. 1. In each tourism community enhancement district established pursuant to section 67.1953, there shall be a board of directors, to consist of seven members. Three members shall be selected by the governing body of the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. Two members shall be selected by the governing body of the city, town or village, located within the district, that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district, if such a city, town or village exists in the district. If no such city,

town or village exists in the district then two additional members shall be selected by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district.

2. Of the members first selected, the three members [from] **selected by** the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district shall be selected for a term of three years, the two members [from] **selected by** the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district shall be selected for a term of two years, and the remaining members shall be selected for a term of one year. Thereafter, each member selected shall serve a three-year term. **Except in any city of the fourth classification with more than two thousand nine hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants,** every member shall be either a resident of the district, own real property within the district, be employed by a business within the district, or operate a business within the district. All members shall serve without compensation. The board shall elect its own treasurer, secretary and such other officers as it deems necessary and expedient, and it may make such rules, regulations, and bylaws to carry out its duties pursuant to sections 67.1950 to 67.1977.

3. Any vacancy within the board shall be filled in the same manner as the person who vacated the position was selected within sixty days of the vacancy occurring, with the new person serving the remainder of the term of the person who vacated the position. In the event that a person is not so selected within sixty days of the vacancy occurring, the remaining members of the board shall select a person to serve the remainder of the term of the person who vacated the position.

4. If a tourism community enhancement district is already in existence on August 28, 2005, the one additional board member shall be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district for a one-year term and the other additional board member shall be appointed by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district for a two-year term, thereafter all board members shall serve three-year terms. The existing board members shall serve out their terms with the provisions of this section controlling the appointment of successor board members, with first and second **existing** board [existing] positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district, the third and fourth existing board positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district and the fifth existing board position to expire to be appointed by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district.

5. The board, on behalf of the district, may:

- (1) Cooperate with public agencies and with any industry or business in the implementation of any project;
- (2) Enter into any agreement with any public agency, person, firm, or corporation to implement any of the provisions of sections 67.1950 to 67.1977;
- (3) Contract and be contracted with, and sue and be sued; and
- (4) Accept gifts, grants, loans, or contributions from the United States of America, the state, any political subdivision, foundation, other public or private agency, individual, partnership or corporation on behalf of the tourism enhancement district community."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hough offered **House Amendment No. 1 to House Amendment No. 27.**

House Amendment No. 1
to
House Amendment No. 27

AMEND House Amendment No. 27 to House Committee Substitute for Senate Bill No. 145, Page 5, Section 238.235, Line 34, by inserting immediately after said line the following:

‘Further amend said bill, Page 5, Section 67.319, Line 53, by inserting immediately after said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
(2) Establish one-way streets and provide for the regulation of vehicles thereon;
(3) Require vehicles to stop before crossing certain designated streets and boulevards;
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;
(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.

444.771. Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo, to any person whose mine plan boundary is within 1,000 feet of any real property where an accredited school has been located for at least five years prior to such application for permits made pursuant to these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine and/or to any underground mining operation.”; and

Further amend said bill, Page 6, Section 488.026, Line 12, by inserting immediately after said line the following:

537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 27** was adopted.

Representative Kelly (24) offered **House Amendment No. 2 to House Amendment No. 27.**

House Amendment No. 2 to House Amendment No. 27 was withdrawn.

On motion of Representative Schieber, **House Amendment No. 27, as amended**, was adopted.

Representative Smith (150) resumed the Chair.

Representative McNary offered **House Amendment No. 28.**

House Amendment No. 28

AMEND House Committee Substitute for Senate Bill No. 145, Page 7, Section 1, Line 54, by inserting after all of said section and line, the following:

“Section 2. 1. There is hereby created a twelve-member interim committee to study and review the issue of consolidating all of the fire protection districts and fire departments in any county with a charter form of government and with more than one million inhabitants into at least one but not more than seven consolidated fire protection districts. In studying this issue the committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from the state department of public safety, and the fire protection districts, fire departments, ambulance districts, and any other special districts or political subdivisions within the county or bordering the county, as well as professional groups or association representing fire fighters, and the general public. The committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the general assembly by December 31, 2011.

2. The committee shall consist of twelve members as follows:

(1) Two members of the house of representatives appointed by the speaker, who shall be from different political parties;

(2) Two member of the senate appointed by the president pro tem, who shall be from different political parties;

(3) A member of the governing body of any county with a charter form of government and with more than one million inhabitants, appointed by the county executive;

- (4) The president of the board of directors of the county municipal league in any county with a charter form of government and with more than one million inhabitants, or the president's designee;
- (5) A representative from the international association of fire fighters;
- (6) A chief of a fire protection district within any county with a charter form of government and with more than one million inhabitants, or the chief's designee, appointed by majority vote of the governing body of the county;
- (7) A chief of a municipal fire department within any county with a charter form of government and with more than one million inhabitants, or the chief's designee, appointed by a majority vote of the governing body of the county;
- (8) A representative of the insurance industry, appointed by the governor, with the advice and consent of the senate;
- (9) A member of the general public residing within any county with a charter form of government and with more than one million inhabitants, appointed by the governor, with the advice and consent of the senate; and
- (10) An outside consultant with experience regarding consolidation issues, appointed by the governor, with the advice and consent of the senate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cookson offered **House Amendment No. 1 to House Amendment No. 28.**

House Amendment No. 1
to
House Amendment No. 28

AMEND House Amendment No. 28 to House Committee Substitute for Senate Bill No. 145, Page 1, Line 4, by inserting before said line the following:

‘Amend said bill, Page 5, Section 67.319, Line 53, by inserting all of said line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than five thousand nine hundred but fewer than six thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in (name of county) at a rate of (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cookson moved that **House Amendment No. 1 to House Amendment No. 28** be adopted.

Which motion was defeated.

On motion of Representative McNary, **House Amendment No. 28** was adopted.

Representative Conway (27) offered **House Amendment No. 29**.

House Amendment No. 29

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. The officer in charge of finance shall cause the amount of unrecovered costs to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official's option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city's charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill."; and

Further amend said bill, Page 5, Section 475.115, Line 15, by inserting after all of said line the following:

"479.011. 1. (1) The following cities may establish an administrative adjudication system under this section:

- (a) Any city not within a county [or];**
- (b) Any home rule city with more than four hundred thousand inhabitants and located in more than one county;**
- (c) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

(2) The cities listed in subdivision (1) of this subsection may establish, by order or ordinance, an administrative system for adjudicating housing, property maintenance, nuisance, parking, and other civil, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.

2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.

3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536 shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review. Such determination is subject to review under chapter 536 or, at the request of the defendant made within ten days, a trial de novo in the circuit court. After expiration of the judicial review period under chapter 536, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same manner as a judgment lien under a judgment of a court of competent jurisdiction. **The city may also issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Tilley assumed the Chair.

On motion of Representative Conway (27), **House Amendment No. 29** was adopted.

On motion of Representative Gatschenberger, **HCS SB 145, as amended**, was adopted.

On motion of Representative Gatschenberger, **HCS SB 145, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Casey	Cauthorn	Cierpiot	Conway 27
Cox	Cross	Davis	Denison	Diehl
Ellinger	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kelley 126
Kelly 24	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leara	Loehner
Long	McCaherty	McDonald	McGeoghegan	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nichols	Nolte	Phillips	Quinn
Richardson	Riddle	Rowland	Schad	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Solon	Still	Stream	Talboy
Taylor	Torpey	Wallingford	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 051

Brattin	Brown 85	Burlison	Carlson	Carter
Colona	Conway 14	Cookson	Crawford	Curtman
Day	Dugger	Entlicher	Fuhr	Guernsey
Jones 63	Kander	Keeney	Kirkton	Klippenstein

1943 *Journal of the House*

Koenig	Korman	Leach	Lichtenegger	Marshall
May	McCann Beatty	McManus	McNeil	Montecillo
Newman	Oxford	Pace	Parkinson	Peters-Baker
Pierson	Pollock	Rizzo	Ruzicka	Scharnhorst
Schieber	Schupp	Sifton	Smith 71	Smith 150
Spreng	Swearingen	Thomson	Walton Gray	Webb
Wells				

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown 116	Dieckhaus	Hodges	Redmon
Reiboldt	Sater	Swinger	Webber	Wright

VACANCIES: 003

Speaker Tilley declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 338**, entitled:

An act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 57, as amended**, and has taken up and passed **HCS SB 57, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SB 96** and has taken up and passed **HCS#2 SB 96**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 135, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 163, as amended**, and has taken up and passed **HCS SCS SB 163, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 282, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SS#2 SCS SB 8, as amended, relating to workers' compensation, was taken up by Representative Fisher.

Representative Fisher moved that the House refuse to recede from its position on **HCS SS#2 SCS SB 8, as amended**, and grant the Senate a conference thereon and allow the conferees to exceed the differences and bind the conferees to Chapter 287 with regards to the Second Injury Fund.

Which motion was adopted.

HCS SB 173, as amended, relating to transportation and infrastructure, was taken up by Representative Cierpiot.

Representative Cierpiot moved that the House refuse to recede from its position on **HCS SB 173, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 282, as amended, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SB 282, as amended**, and grant the Senate a conference.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

1945 *Journal of the House*

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Harris	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Solon	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Brown 50	Brown 116	Day	Diehl
Hodges	Long	McGhee	Parkinson	Redmon
Reiboldt	Sater	Scharnhorst	Smith 71	Swinger
Webber	Wright			

VACANCIES: 003

HCS SS SB 135, as amended, relating to environmental protections, was taken up by Representative Jones (89).

Representative Jones (89) moved that the House refuse to recede from its position on **HCS SS SB 135, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 142, as amended, relating to auditors in charter counties, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House refuse to adopt **SCS HB 142, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SCS HCS HB 2, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 2** was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 012

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schupp	Sifton	Smith 71	Still
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Black	Cross	Elmer	Funderburk
Gatschenberger	Hampton	Hodges	Korman	Long
McDonald	McGhee	Redmon	Reiboldt	Sater
Scharnhorst	Schieffer	Swinger	Wallingford	Wright

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 2** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 012

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schupp	Sifton	Smith 71	Still
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Ellinger	Elmer	Hodges	McDonald	Redmon
Reiboldt	Sater	Swinger	Wright	

VACANCIES: 003

Speaker Tilley declared the bill passed.

Representative Keeney assumed the Chair.

CCR SCS HCS HB 3, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 3** was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schad	Schupp	Smith 71	Still
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 009

Hodges	Largent	McDonald	Redmon	Reiboldt
Sater	Swinger	Taylor	Wright	

VACANCIES: 003

1949 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 3** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 010

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schupp	Smith 71	Still	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 010

Cookson	Hodges	McDonald	Nasheed	Redmon
Reiboldt	Sater	Swinger	Taylor	Wright

VACANCIES: 003

Representative Keeney declared the bill passed.

CCR SCS HCS HB 4, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 4** was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 009

Hughes	May	McNeil	Newman	Oxford
Schupp	Sifton	Smith 71	Webber	

PRESENT: 001

Walton Gray

ABSENT WITH LEAVE: 010

Hodges	McDonald	Parkinson	Redmon	Reiboldt
Sater	Scharnhorst	Swinger	Taylor	Wright

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 4** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Pace	Phillips	Pollock	Quinn
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 014

Carlson	Hughes	Kirkton	May	McNeil
Newman	Nichols	Oxford	Peters-Baker	Pierson
Schupp	Sifton	Smith 71	Webber	

PRESENT: 001

Walton Gray

ABSENT WITH LEAVE: 013

Asbury	Cierpiot	Hodges	Jones 63	McDonald
Parkinson	Redmon	Reiboldt	Sater	Scharnhorst
Swinger	Taylor	Wright		

VACANCIES: 003

Representative Keeney declared the bill passed.

Representative Cox assumed the Chair.

CCR SCS HCS HB 5, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 5** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 003

Hughes	Marshall	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 012

Funderburk	Hodges	McManus	Parkinson	Redmon
Reiboldt	Sater	Scharnhorst	Swinger	Taylor
Wallingford	Wright			

VACANCIES: 003

1953 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 5** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 003

Marshall	Oxford	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 014

Cierpiot	Day	Hodges	Hughes	Lauer
Nolte	Parkinson	Redmon	Reiboldt	Sater
Schad	Swinger	Taylor	Wright	

VACANCIES: 003

Representative Cox declared the bill passed.

CCR SCS HCS HB 6, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 6** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 001

Oxford

PRESENT: 001

Black

ABSENT WITH LEAVE: 013

Brown 85	Cookson	Hodges	Hughes	McGeoghegan
Nasheed	Parkinson	Redmon	Reiboldt	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

1955 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 6** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 001

Oxford

PRESENT: 001

Black

ABSENT WITH LEAVE: 013

Aull	Barnes	Hodges	Hughes	Nasheed
Parkinson	Redmon	Sater	Scharnhorst	Swinger
Taylor	White	Wright		

VACANCIES: 003

Representative Cox declared the bill passed.

CCR SCS HCS HB 7, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 7, as amended**, was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Long
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Peters-Baker	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 021

Atkins	Bahr	Brattin	Carlson	Hummel
Lasater	Marshall	May	McGeoghegan	McNeil
Montecillo	Oxford	Pace	Phillips	Pierson
Rizzo	Schupp	Smith 71	Spreng	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Loehner	Redmon	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 7** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 024

Atkins	Bahr	Brattin	Carlson	Colona
Dugger	Hummel	Koenig	Lasater	Marshall
May	McGeoghegan	McNeil	Montecillo	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Denison	Hodges	Hughes	Redmon	Sater
Still	Swinger	Taylor	Wright	

VACANCIES: 003

Representative Cox declared the bill passed.

CCR SCS HCS HB 8, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 8** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Redmon	Sater	Scharnhorst
Swinger	Taylor	Wright		

VACANCIES: 003

1959 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 8** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 002

Oxford Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Davis	Hodges	Hughes	Lair	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

Representative Cox declared the bill passed.

Representative Kelly (24) assumed the Chair.

CCR SCS HCS HB 9, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 9** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Sater	Schneider	Schupp
Swinger	Taylor	Wright		

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 9** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 002

Hughes Oxford

PRESENT: 000

ABSENT WITH LEAVE: 005

Hodges Sater Swinger Taylor Wright

VACANCIES: 003

Representative Kelly (24) declared the bill passed.

CCR SCS HCS HB 10, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 10** was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swearingen	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 017

Colona	Holsman	Hughes	Hummel	Kratky
Newman	Oxford	Pace	Peters-Baker	Rizzo
Smith 71	Spreng	Still	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore	Hodges	Sater	Swinger	Taylor
Wright				

VACANCIES: 003

1963 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 10** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Swearingen	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 016

Colona	Hughes	Hummel	Kratky	McDonald
Newman	Oxford	Peters-Baker	Rizzo	Smith 71
Spreng	Still	Talboy	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 006

Day	Hodges	Sater	Swinger	Taylor
Wright				

VACANCIES: 003

Representative Kelly (24) declared the bill passed.

Representative Cauthorn assumed the Chair.

CCR SCS HCS HB 11, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 11** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 002

Hughes	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Hodges	Lant	Sater	Swinger
Taylor	Wright			

VACANCIES: 003

1965 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 11** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 002

Hughes Oxford

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Hodges	Lant	Sater	Swinger
Taylor	Wright			

VACANCIES: 003

Representative Cauthorn declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2**, and has taken up and passed **CCS SCS HCS HB 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 3**, and has taken up and passed **CCS SCS HCS HB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 4**, and has taken up and passed **CCS SCS HCS HB 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 5**, and has taken up and passed **CCS SCS HCS HB 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 142, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 282**, entitled:

An act to repeal sections 70.710, 70.720, 70.730, 86.900, 86.1030, 86.1100, 86.1110, 86.1120, 86.1140, 86.1150, 86.1230, 86.1240, 86.1250, 86.1310, 86.1420, 86.1480, 86.1490, 86.1500, 86.1510, 86.1540, 86.1560, 86.1600, 86.1610, 86.1620, 87.205, 87.207, 105.915, and 105.927, RSMo, and to enact in lieu thereof thirty-one new sections relating to public employee retirement.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 282, Page 65, Section 104.603, Line 12 of said page, by inserting immediately after said line the following:

"105.661. 1. Each plan shall annually prepare and have available as public information a comprehensive annual financial report showing the financial condition of the plan as of the end of the plan's fiscal year. The report shall contain, but not be limited to, detailed financial statements prepared in accordance with generally accepted accounting principles for public employee retirement systems including an independent auditors report thereon, prepared by a certified public accountant or a firm of certified public accountants, a detailed summary of the plan's most recent actuarial valuation including a certification letter from the actuary and a summary of actuarial assumptions and methods used in such valuation, a detailed listing of the investments, showing both cost and market value, held by the plan as of the date of the report together with a detailed statement of the annual rates of investment return from all assets and from each type of investment, a detailed list of investments acquired and disposed of during the fiscal year, a listing of the plan's board of trustees or responsible administrative body and administrative staff, a detailed list of administrative expenses of the plan including all fees paid for professional services, a detailed list of brokerage commissions paid, a summary plan description, and such other data as the plan shall deem necessary or desirable for a proper understanding of the condition of the plan. In the event a plan is unable to comply with any of the disclosure requirements outlined above, a detailed statement must be included in the report as to the reason for such noncompliance.

2. Any rule or portion of rule promulgated by any plan pursuant to the authority of chapter 536, or of any other provision of law, shall be submitted to the joint committee on public employee retirement prior to or concurrent with the filing of a notice of proposed rulemaking with the secretary of state's office pursuant to section 536.021. The requirement of this subsection is intended solely for the purpose of notifying the joint committee on public employee retirement with respect to a plan's proposed rulemaking so that the joint committee on public employee retirement has ample opportunity to submit comments with respect to such proposed rulemaking in accordance with the normal process. Any plan not required to file a notice of proposed rulemaking with the secretary of state's office shall submit any proposed rule or portion of a rule to the joint committee on public employee retirement within ten days of its promulgation.

3. A copy of the comprehensive annual financial report as outlined in subsection 1 of this section shall be forwarded within six months of the end of the plan's fiscal year to the state auditor and the joint committee on public employee retirement.

4. Each defined benefit plan shall submit a quarterly report regarding the plan's investment performance to the joint committee on public employee retirement in the form and manner requested by the committee. If the plan fails to submit this report, the committee may subpoena witnesses, take testimony under oath, and compel the production of records regarding this information, pursuant to its authority under section 21.561."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 282, Page 59, Section 87.205, Line 8, by inserting after the word "student" the following:

", fails to provide proof of achievement of a grade point average of two on a four-point scale or the equivalent on another scale for each academic term,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 578**, entitled:

An act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 737**, entitled:

An act to repeal sections 135.950, 135.963, and 137.010, RSMo, section 135.953 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bill no. 1965, ninety-fifth general assembly, second regular session, and section 135.953 as enacted by house committee substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to renewable energy.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS#2 SCS SB 8, as amended**: Senators Goodman, Crowell, Pearce, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 173, as amended**: Senators Dixon, Stouffer, Rupp, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 220, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HB 142: Representatives Gatschenberger, Diehl, Lauer, Quinn and Taylor
HCS SS#2 SCS SB 8: Representatives Fisher, Nolte, Richardson, Meadows and McManus
HCS SS SB 135: Representatives Jones (89), Ruzicka, Pollock, Holsman and Brown (50)
HCS SB 173: Representatives Cierpiot, Long, Smith (150), Fallert and Casey
HCS SB 282: Representatives Dugger, Smith (150), Cox, Conway (27) and Newman

Speaker Pro Tem Schoeller resumed the Chair.

BILLS IN CONFERENCE

CCR SCS HCS HB 12, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 12** was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson

1969 *Journal of the House*

Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 024

Carlson	Colona	Hughes	Hummel	Kander
Kratky	May	McCann Beatty	McNeil	Montecillo
Newman	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Talboy	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Ellinger	Hodges	Lant	Rowland	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 12** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McGhee	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 030

Carlson	Carter	Colona	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kratky
May	McCann Beatty	McDonald	McManus	McNeil
Montecillo	Newman	Oxford	Pace	Peters-Baker
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Talboy	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Cierpiot	Hodges	Lant	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

CCR SCS HCS HB 13, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 13** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Thomson	Torpey

1971 *Journal of the House*

Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Ellinger	Hodges	Lant	Sater
Swinger	Talboy	Taylor	Wright	

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 13** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Hodges	Hughes	Lant	Sater	Swinger
Taylor	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 101, as amended, relating to liquor and wine tasting, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to adopt **SCS HB 101, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference thereon, and that the conferees be allowed to exceed the differences on Sections 311.088 and 311.486.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 6**, and has taken up and passed **CCS SCS HCS HB 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 7, as amended**, and has taken up and passed **CCS SCS HCS HB 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 8**, and has taken up and passed **CCS SCS HCS HB 8**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 9**, and has taken up and passed **CCS SCS HCS HB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 10**, and has taken up and passed **CCS SCS HCS HB 10**.

BILL CARRYING REQUEST MESSAGES

HCS SB 220, as amended, relating to architects, engineers and surveyors, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 220, as amended**, and grant the Senate a conference.

Which motion was adopted.

RECESS

On motion of Representative Jones (89), the House recessed until 4:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 11**, and has taken up and passed **CCS SCS HCS HB 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 12**, and has taken up and passed **CCS SCS HCS HB 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 13**, and has taken up and passed **CCS SCS HCS HB 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 142, as amended**: Senators Dempsey, Mayer, Parson, McKenna and Curls.

THIRD READING OF HOUSE BILL

HCS HB 999, relating to sexual offender registration, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 999** was read the third time and passed by the following vote:

AYES: 126

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey

Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webb	Weter	Wyatt	Zerr
Mr Speaker				

NOES: 016

Carlson	Davis	Entlicher	Johnson	Kander
Lauer	McCaherty	Montecillo	Pollock	Sifton
Smith 150	Solon	Wallingford	Wells	White
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 50	Carter	Dieckhaus	Flanigan
Hodges	Hughes	Lant	Leara	Peters-Baker
Phillips	Sater	Scharnhorst	Schieffer	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 207, relating to property taxes and energy, was taken up by Representative Pollock.

Speaker Tilley resumed the Chair.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

Amend House Committee Substitute for Senate Bill No. 207, Page 24, Section 393.1075, Line 112, by inserting immediately after said line the following:

- "620.2300. 1. As used in this section, the following terms shall mean;**
- (1) "Department", the Missouri department of economic development;**
 - (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
 - (3) "Commission", the Missouri public service commission;**
 - (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**
 - (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**
 - (6) "Major source", the same meaning as is provided under 40 C.F.R. 70.2;**
 - (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**
 - (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:**
 - (a) The area consists of at least fifty contiguous acres;**
 - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;**
 - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;**
 - (d) The development plan for the area includes a biomass facility; and**
 - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;**
 - (9) "Project", a clean fields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;**
 - (10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;**
 - (11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;**
 - (12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the**

project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and

Further amend said bill, Page 24, Section 386.850, Line 6, by inserting after all of said line the following:

"Section B. Because of the need to ensure the creation of jobs through the utilization of alternative energy sources, the enactment of section 620.2300 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 620.2300 of the act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 207, Page 1, Section A, Line 10, by inserting after all of said section and line the following:

"135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

(1) "Average wage", the new payroll divided by the number of new jobs;

(2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. **The term "blighted area" shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;

(4) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) "Department", the department of economic development;

(7) "Director", the director of the department of economic development;

(8) "Employee", a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) "Enhanced business enterprise", an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state's economic security and growth; or

(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) "Facility", any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(12) "Facility base employment", the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) "Facility base payroll", the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) "Governing authority", the body holding primary legislative authority over a county or incorporated municipality;

(15) "Megaproject", any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of eight years from the date of approval by the department;

(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) "New business facility", a facility that **does not produce or generate electrical energy from a renewable energy resource and** satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (25) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(20) "New job", the number of employees located at the facility that exceeds the facility base employment less any decrease in the number of the employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(21) "Notice of intent", a form developed by the department which is completed by the enhanced business enterprise and submitted to the department which states the enhanced business enterprise's intent to hire new jobs and request benefits under such program;

(22) "Related facility", a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) "Related facility base employment", the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or

(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) "Related taxpayer":

(a) A corporation, partnership, trust, or association controlled by the taxpayer;
 (b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or
 (c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) "Renewable energy generation zone", an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;

(26) "Renewable energy resource", shall include:

(a) Wind;
 (b) Solar thermal sources or photovoltaic cells and panels;
 (c) Dedicated crops grown for energy production;
 (d) Cellulosic agricultural residues;
 (e) Plant residues;
 (f) Methane from landfills, agricultural operations, or wastewater treatment;
 (g) Thermal depolymerization or pyrolysis for converting waste material to energy;
 (h) Clean and untreated wood such as pallets;
 (i) Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;

(j) Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or

(k) Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of natural resources;

(27) "Replacement business facility", a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

[(26)] (28) "Same or substantially similar enhanced business enterprise", an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another enhanced business enterprise.

135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and
 (2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

- (a) The state of Missouri over the previous twelve months; or
- (b) The county or city not within a county over the previous twelve months.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

- (1) The potential to create sustainable jobs in a targeted industry; or
- (2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution **or ordinance** by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. **Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions.** In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and

Further amend said bill, Page 2, Section 137.010, by deleting all of said section and inserting in lieu thereof the following:

"137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) **"Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;**

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(3) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, **hydroelectric power generating equipment**, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, water, and sewage;

(4) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place."; and

Further amend said bill, Page 11, Section 137.080, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 2** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 207, Section 137.115, Page 21, Line 198, by inserting after all of said section and line the following:

"386.420. 1. At the time fixed for any hearing before the commission or a commissioner, or the time to which the same may have been continued, the complainant, the public counsel and the corporation, person or public utility complained of, and such corporations and persons as the commission may allow to intervene, shall be entitled to be heard and to introduce evidence. The commission shall issue process to enforce the attendance of all necessary witnesses.

2. Whenever an investigation shall be made by the commission, it shall be its duty, to make a report in writing in respect thereto, which shall state the conclusions of the commission, together with its decision, order or requirement in the premises. The commission or any commissioner or any party may, in any investigation or hearing before the commission, cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in the circuit courts of this state and to that end may compel the attendance of witnesses and the production of books, waybills, documents, papers, memoranda and accounts. Witnesses whose depositions are taken as provided in this section and the officer taking the same shall severally be entitled to the same fees as are paid for like services in the circuit courts of this state.

3. If an order cannot, in the judgment of the commission, be complied with within thirty days, the commission may grant and prescribe such additional time as in its judgment is reasonably necessary to comply with the order, and may, on application and for good cause shown, extend the time for compliance fixed in its order.

4. A full and complete record shall be made of all proceedings before the commission or any commissioner on any formal hearing had, and all testimony shall be taken down by a reporter appointed by the commission, and the parties shall be entitled to be heard in person or by attorney. Preparation of a printed transcript may be waived by unanimous consent of all the parties. In case of an action to review any order or decision of the commission, a transcript of such testimony, together with all exhibits or copies thereof introduced and all information secured by the commission on its own initiative and considered by it in rendering its order or decision, and of the pleadings, record and proceedings in the cause, shall constitute the record of the commission; provided, that on review of an order or decision of the commission, the [petitioner] **appellant** and the commission may stipulate that a certain question or questions alone and a specified portion only of the evidence shall be certified to the [circuit] **reviewing** court for its judgment, whereupon such stipulation and the question or questions and the evidence therein specified shall constitute the record on review. **In any proceeding resulting in the establishment of new rates for a public utility, the commission shall cause to be prepared, with the assistance of the parties to such proceeding, and shall approve, after allowing the parties a reasonable opportunity to provide written input, a detailed reconciliation containing the dollar value and rate or charge impact of each contested issue decided by the commission, and the customer class billing determinants used by the commission to calculate the rates and charges approved by the commission in such proceeding. Such information shall be sufficient to permit a reviewing court and the commission on remand from a reviewing court to determine how the public utility's rates and charges, including the rates and charges for each customer class, would need to be temporarily and, if applicable, permanently adjusted to provide customers or the public utility with any monetary relief that may be due in accordance with the procedures set forth in section 386.520. In the event there is any dispute over the value of a particular issue or the correctness of a billing determinant, the commission shall also include in the reconciliation a quantification of the dollar value and rate or charge impact associated with the dispute.**

386.490. 1. Every order of the commission shall be served upon every person or corporation to be affected thereby, either by personal delivery of a certified copy thereof, **by electronic service**, or by mailing a certified copy thereof, in a sealed package with postage prepaid, to the person to be affected thereby, or, in the case of a corporation,

to any officer or agent thereof upon whom a summons may be served in accordance with the provisions of the code of civil procedure.

2. [It shall be the duty of every person and corporation to notify the commission forthwith, in writing, of the receipt of the certified copy of every order so served, and in the case of a corporation such notification must be signed and acknowledged by a person or officer duly authorized by the corporation to admit such service. Within a time specified in the order of the commission every person and corporation upon whom it is served must if so required in the order notify the commission in like manner whether the terms of the order are accepted and will be obeyed.

3.] Every order or decision of the commission shall of its own force take effect and become operative thirty days after the service thereof, except as otherwise provided, and shall continue in force either for a period which may be designated therein or until changed or abrogated by the commission, unless such order be unauthorized by this law or any other law or be in violation of a provision of the constitution of the state or of the United States.

386.510. With respect to commission orders or decisions issued on and after the effective date of this section, within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the rendition of the decision on rehearing, the applicant may [apply to] **file a notice of appeal with the [circuit court of] commission, which shall also be served on the parties to the commission proceeding in accordance with section 386.515, and which shall also be filed with the appellate court with the territorial jurisdiction over the county where the hearing was held or in which the commission has its principal office [for a writ of certiorari or review (herein referred to as a writ of review)]** for the purpose of having the reasonableness or lawfulness of the original order or decision or the order or decision on rehearing inquired into or determined. [The writ shall be made returnable not later than thirty days after the date of the issuance thereof, and shall direct the commission to certify its record in the case to the court. On the return day the cause shall be heard by the circuit court, unless for a good cause shown the same be continued.] **Except with respect to a stay or suspension pursuant to subsection 1 of section 386.520,** no new or additional evidence may be introduced [upon the hearing] in the [circuit] **appellate** court but the cause shall be heard by the court without the intervention of a jury on the evidence and exhibits introduced before the commission and certified to by it. **The notice of appeal shall include the appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals.** The commission and each party to the action or proceeding before the commission shall have the right to [appear] **intervene and participate fully** in the review proceedings. Upon the [hearing the circuit] **submission of the case to the court of appeals, the court of appeals** shall [enter judgment] **render its opinion** either affirming or setting aside, **in whole or in part,** the order **or decision** of the commission under review. In case the order **or decision** is reversed by reason of the commission failing to receive testimony properly proffered, the court shall remand the cause to the commission, with instructions to receive the testimony so proffered and rejected, and enter a new order **or render a new decision** based upon the evidence theretofore taken, and such as it is directed to receive. The court may, in its discretion, remand any cause which is reversed by it to the commission for further action. No court in this state, except [the circuit courts to the extent herein specified and] the supreme court or the court of appeals [on appeal], shall have jurisdiction **or authority** to review, reverse, correct or annul any order or decision of the commission or to suspend or delay the executing or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties. The [circuit] **appellate** courts of this state shall always be deemed open for the trial of suits brought to review the orders and decisions of the commission as provided in the public service commission law and the same shall **where necessary** be tried and determined as suits in equity.

386.515. [Prior to August 28, 2001, in proceedings before the Missouri public service commission, consistent with the decision of the supreme court of Missouri in *State ex rel. Anderson Motor Service Co., Inc. v. Public Service Commission*, 97 S.W.2d 116 (Mo. banc 1936) the review procedure provided for in section 386.510 is exclusive to any other procedure.] **With respect to commission orders or decisions issued on and after the effective date of this section,** an application for rehearing is required to be served on all parties and is a prerequisite to the filing of an [application for writ of review] **appeal under section 386.510.** The application for rehearing puts the parties to the proceeding before the commission on notice that [a writ of review] **an appeal** can follow and any such review **under the appeal** may proceed [without formal notification or summons to] **provided that a copy of the notice of appeal is served on said parties. With respect to commission orders or decisions issued on and after [August 28, 2001] the effective date of this section,** the review procedure provided for in section 386.510 continues to be exclusive except that a copy of [any such writ of review] **the notice of appeal required by section 386.510** shall be [provided to] **served**

on each party to the proceeding before the commission[, or his or her attorney of record, by hand delivery or by registered mail, and proof of such delivery or mailing shall be filed in the case as provided by subsection 2 of section 536.110] **by the appellant according to the rules established by the court in which the appeal is filed.**

386.520. 1. The pendency of [a writ of review] **an appeal under section 386.510** shall not of itself stay or suspend the operation of the order or decision of the commission, but [during the pendency of such writ, the circuit court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order or decision. No order so staying or suspending an order or decision of the commission shall be made by any circuit court otherwise than on three days' notice and after hearing, and if the order or decision of the commission is suspended the same shall contain a specific finding based upon evidence submitted to the court and identified by reference thereto, that great or irreparable damage would otherwise result to the petitioner and specifying the nature of the damage. In case the order or decision of the commission is stayed or suspended, the order or judgment of the court shall not become effective until a suspending bond shall first have been executed and filed with, and approved by, the circuit court, payable to the state of Missouri, and sufficient in amount and security to secure the prompt payment, by the party petitioning for the review, of all damages caused by the delay in the enforcement of the order or decision of the commission, and of all moneys which any person or corporation may be compelled to pay, pending the review proceedings, for transportation, transmission, product, commodity or service in excess of the charges fixed by the order or decision of the commission, in case such order or decision is sustained.

2. The circuit court, in case it stays or suspends the order or decision of the commission in any manner affecting rates, fares, tolls, rentals, charges or classifications, shall also by order direct the corporation, person or public utility affected to pay into court, from time to time, there to be impounded until the final decision of the case, or into some bank or trust company paying interest on deposits, under such conditions as the court may prescribe, all sums of money which it may collect from any corporation or person in excess of the sum such corporation or person would have been compelled to pay if the order or decision of the commission had not been stayed or suspended.

3. In case any circuit court stays or suspends any order or decision of the commission lowering any rate, fare, toll, rental, charge or classification, upon the execution and approval of said suspending bond, shall forthwith require the corporation, person or public utility affected, under penalty of the immediate enforcement of the order or decision of the commission, pending the review and notwithstanding the suspending order, to keep such accounts, verified by oath, as may, in the judgment of the court, suffice to show the amounts being charged or received by such corporation, person or public utility, pending the review, in excess of the charges allowed by the order or decision of the commission, together with the names and addresses of the corporations and persons to whom overcharges will be refundable in case the charges made by the corporation, person or public utility, pending the review, be not sustained by the circuit court; provided, that street railroad corporations shall not be required to keep a record of the names and addresses of such persons paying such overcharge of fares, but such street railroad corporations shall give to such persons printed receipts showing such overcharges of fares, the form of such printed receipts to be approved by the commission.

4. The court may, from time to time, require said party petitioning for a review to give additional security on, or to increase, the said suspending bond, whenever in the opinion of the court the same may be necessary to secure the prompt payment of said damages or said overcharges.

5. Upon the decision of the circuit court, all moneys which the corporation, person or public utility may have collected pending the appeal, in excess of those authorized by such decision, together with interest, in case the court ordered the deposit of such moneys in a bank or trust company, shall be promptly paid to the corporations or persons entitled thereto, in such manner and through such methods of distribution as may be prescribed by the court, unless an appeal be granted such corporation, person or public utility, as herein provided] **with respect to commission orders or decisions issued on and after the effective date of this section that do not involve the establishment of new rates and charges for a public utility, the appellate court may in its discretion, or upon the recommendation of a special master appointed for such purpose, and after the posting of an appropriate appeal bond, stay or suspend the operation of the order or decision of the commission, in whole or in part, if in its discretion it determines that great or irreparable damage would otherwise result to the appellant.**

2. **With respect to orders or decisions issued on and after the effective date of this section that involve the establishment of new rates or charges, there shall be no stay or suspension of the commission's order or decision, however:**

(1) **In the event a final and unappealable judicial decision determines that a commission order or decision unlawfully or unreasonably decided an issue or issues in a manner affecting rates, then the court shall instruct the commission to provide temporary rate adjustments and, if new rates and charges have not been approved by the commission before the judicial decision becomes final and unappealable, prospective rate adjustments. Such adjustments shall be calculated based on the record evidence in the proceeding under review and the information**

contained in the reconciliation and billing determinants provided by the commission under subsection 4 of section 386.420 and in accordance with the procedures set forth in subdivisions (2) to (5) of this subsection;

(2) If the effect of the unlawful or unreasonable commission decision issued on or after the effective date of this section was to increase the public utility's rates and charges in excess of what the public utility would have received had the commission not erred or to decrease the public utility's rates and charges in a lesser amount than would have occurred had the commission not erred, then the commission shall be instructed on remand to approve temporary rate adjustments designed to flow through to the public utility's then existing customers the excess amounts that were collected by the utility plus interest at the higher of the prime bank lending rate minus two percentage points or zero. Such amounts shall be calculated for the period commencing with the date the rate increase or decrease took effect until the earlier of the date when new rates and charges consistent with the court's opinion became effective or when new rates or charges otherwise approved by the commission as a result of a general rate case filing or complaint became effective. Such amounts shall then be reflected as a rate adjustment over a like period of time. The commission shall issue its order on remand within sixty days unless the commission determines that additional time is necessary to properly calculate the temporary or any prospective rate adjustment, in which case the commission shall issue its order within one hundred and twenty days;

(3) If the effect of the unlawful or unreasonable commission decision was to increase the public utility's rates and charges by a lesser amount than what the public utility would have received had the commission not erred or to decrease the public utility's rates and charges in a greater amount than would have occurred had the commission not erred, then the commission shall be instructed on remand to approve temporary rate adjustments designed to allow the public utility to recover from its then existing customers the amounts it should have collected plus interest at the higher of the prime bank lending rate minus two percentage points or zero. Such amounts shall be calculated for the period commencing with the date the rate increase or decrease took effect until the earlier of the date when new permanent rates and charges consistent with the court's opinion became effective or when new permanent rates or charges otherwise approved by the commission as a result of a general rate case filing or complaint became effective. Such amounts shall then be reflected as a rate adjustment over a like period of time. The commission shall issue its order on remand within sixty days unless the commission determines that additional time is necessary to properly calculate the temporary or any prospective rate adjustment, in which case the commission shall issue its order within one hundred and twenty days;

(4) If the effect of the unlawful or unreasonable commission decision was to allocate too much of a rate increase or too little of a rate decrease to a customer class or classes, then the commission shall be instructed on remand to approve temporary rate adjustments for each customer class as necessary to ensure that each customer class is charged the amounts that would have been charged had the commission not erred. Such amounts shall be calculated for the period commencing with the date the rate increase or decrease took effect until the earlier of the date when new rates and charges consistent with the court's opinion became effective or when new rates or charges otherwise approved by the commission as a result of a general rate case filing or complaint became effective. Such amounts shall then be reflected as a rate adjustment over a like period of time. The commission shall issue its order on remand within sixty days unless the commission determines that additional time is necessary to properly calculate the temporary or any prospective rate adjustment, in which case the commission shall issue its order within one hundred and twenty days;

(5) On and after the effective date of this section, no action affecting the public utility's collection of rates and charges shall be taken in cases where the court cannot make a determination on the merits because the commission failed to include adequate findings of fact to support the commission's decision or failed to receive evidence properly proffered, provided that the commission shall provide such findings of fact or otherwise issue a new order within ninety days of the date of the court's mandate. If such new order is appealed, the period for measuring amounts subject to temporary rate adjustments process set forth in subdivisions (1) to (4) of this subsection shall commence beginning with the date the rate increase or decrease took effect.

386.530. All actions or proceedings under this or any other chapter, and all actions and proceedings commenced or prosecuted by order of the commission, and all actions and proceedings to which the commission, the public counsel or the state may be parties, and in which any question arises under this or any other chapter, or under or concerning any order or decision or action of the commission, shall be preferred over all other civil causes except election contests in all the [circuit] **appellate** courts of the state of Missouri, and shall be heard and determined in preference to all other civil business pending therein except election contests, irrespective of position on the calendar. The same preference shall be granted upon application of the public counsel or the commission counsel in any action or proceeding in which either or both may be allowed to intervene.

386.540. 1. The commission and any party, including the public counsel, who has participated in the [commission] **court of appeals** proceeding [which produced the order or decision may, after the entry of judgment in the circuit court in any action in review, prosecute an appeal to a court having appellate jurisdiction in this state. Such appeal shall be prosecuted as appeals from judgment of the circuit court in civil cases except as otherwise provided in this chapter] **and is aggrieved by the opinion of the court may seek rehearing or transfer to the Missouri supreme court under rules established by the court.** The original transcript of the record and testimony and exhibits, certified to by the commission and filed [in the circuit court in any action to review an order or decision of the commission, together with a transcript of the proceedings in the circuit court,] **with the court of appeals** shall constitute the record on appeal to the supreme court [or any court of appeals].

2. Where an appeal is taken to the supreme court [or the court of appeals], the cause shall, on the return of the papers to the supreme court [or court of appeals], be immediately placed on the docket of the then pending term by the clerk of the court and shall be assigned and brought to a hearing in the same manner as other causes on the then pending term docket, but shall have precedence over all civil causes of a different nature pending in the court. [No appeal shall be effective when taken by a corporation, person or public utility unless a cost bond of appeal in the sum of five hundred dollars shall be filed within ten days after the entry of judgment in the circuit court appealed from.]

3. [The circuit court may in its discretion suspend its judgment pending the hearing in the supreme court or court of appeals on appeal, upon the filing of a bond by the corporation, person or public utility with good and sufficient security conditioned as provided for bonds upon actions for review and by further complying with all terms and conditions of this law for the suspension of any order or decision of the commission pending the hearing or review in the circuit court. This bond shall be in addition to the cost bond heretofore provided in this section.

4.] The general laws relating to appeals to the supreme court and the court of appeals in this state shall, so far as applicable and not in conflict with the provisions of this chapter, apply to appeals taken under the provisions of this chapter."; and

Further amend said bill, Page 24, Section 393.1075, Line 112, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide meaningful and equitable relief to parties who may successfully pursue review of Missouri Public Service Commission orders or decisions, the repeal and reenactment of sections 386.420, 386.510, 386.515, 386.520, 386.530, and 386.540 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 386.420, 386.510, 386.515, 386.520, 386.530, and 386.540 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), House Amendment No. 3 was adopted.

Representative Schneider offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 207, Section 137.080, Page 11, Line 16, by inserting the following after all of said line:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty- two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new

construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnes	Bernskoetter	Brandom	Brown 116	Burlison
Casey	Colona	Cookson	Cox	Cross
Diehl	Elmer	Fallert	Fisher	Fitzwater
Fraker	Franz	Funderburk	Gatschenberger	Grisamore
Holsman	Hough	Hubbard	Hummel	Jones 89
Jones 117	Keeney	Kratky	Lair	Leach
Lichtenegger	Long	McCaherty	McGhee	Meadows
Nance	Nolte	Pollock	Redmon	Richardson
Riddle	Rowland	Ruzicka	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 085

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brattin	Brown 85	Carlson
Carter	Cauthorn	Cierpiot	Conway 14	Conway 27
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Entlicher	Franklin
Frederick	Fuhr	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Houghton	Johnson	Jones 63	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lampe	Largent	Lasater	Lauer	Loehner
Marshall	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Molendorp	Montecillo	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Quinn	Reiboldt	Rizzo	Schad
Schatz	Schieber	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Torpey	Wallingford	Walton Gray	Webb	Wells

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Brown 50	Flanigan	Hodges	Hughes
Lant	Leara	May	Nasheed	Peters-Baker
Phillips	Sater	Scharnhorst	Schieffer	Swinger
Talboy	Taylor	Webber	Wright	

VACANCIES: 003

Representative Fuhr offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 207, Page 5, Section 137.073, Line 88, by inserting immediately after the “.” on said line the following:

“For school districts that levy separate tax rates on each subclass of real property and personal property in the aggregate, if voters approved a ballot before January 1, 2011, that presented separate stated tax rates to be applied to the different subclasses of real property and personal property in the aggregate, or increases the separate rates that may be levied on the different subclasses of real property and personal property in the aggregate by different amounts, the tax rate that shall be used for the single tax rate calculation shall be a blended rate, calculated in the manner provided under subdivision (1) of subsection 6 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 5** was adopted.

Representative Schoeller offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 207, Page 21, Section 137.115 (repealed), Line 198, by inserting after all of said section and line the following:

“250.236. 1. Any city, town or village may contract with a private or public water company to terminate water services, at the direction of the city, because a customer fails to pay his sewer bill. When charges for sewer services are in arrears for more than three months and after the city sends notice to the customer [by certified mail], the city may disconnect the customer's sewer line or request in writing that the private or public water company discontinue water service until such time as the sewer charges and all related costs are paid.

2. A private or public water company acting pursuant to a written request from the city as provided in subsection 1 of this section is not liable for damages related to termination of water services. All costs related to disconnection and reconnections shall be reimbursed to the private water company by the city.

393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, or sections 204.250 to 204.470, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer [by certified mail], except that if the water corporation is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water corporation to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water corporation shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer.

2. A water corporation acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water corporation, in which case the water corporation shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water corporation shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority.

393.275. 1. The commission shall notify the governing body of each city or county imposing a business license tax pursuant to section 66.300, 92.045, 94.110, 94.270 or 94.360, RSMo, or a similar tax adopted pursuant to charter provisions in any constitutional charter city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, on gross receipts of any gas corporation, electric corporation, water corporation or sewer corporation of any tariff increases authorized for such firm doing business in that city or county if the approved increase exceeds seven percent. The commission shall include with such notice to any city or county the percentage increase approved for the utility, together with an estimate of the annual increase in gross receipts resulting from the tariff increase on customers residing in that city or county. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission.

2. The governing body of each city or county notified of a tariff increase as provided in subsection 1 of this section shall reduce the tax rate of its business license tax on the gross receipts of utility corporations. Within sixty days of the effective date of the tariff increase, the tax rate shall be reduced to the extent necessary so that revenue for the ensuing twelve months will be approximately equal to the revenue received during the preceding twelve months plus a growth factor. The growth factor shall be equal to the average of the additional revenue received in each of the preceding three years. However, a city or county may maintain the tax rate of its business license tax on the gross receipts of utility corporations without reduction if an ordinance to maintain the tax rate is enacted by the governing body of the city or an order to maintain the tax rate is issued by the governing body of the county after September 28, 1985. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission **and such purchased gas adjustment rates shall include the gas cost portion of net write-offs incurred by the gas corporation in providing service to system sales customers upon the filing and approval of new rate schedules applicable to such customers. Such rate schedules shall be designed to simultaneously decrease the gas corporation's base rates and increase its purchased gas adjustment rates by like amounts so as to reasonably ensure that the gas cost portion of the net write-offs applicable to such customers, as such portion is determined by the commission, is only being recovered once through the gas corporation's purchased gas adjustment rates. Increases and decreases in the gas cost portion of net write-offs shall thereafter be reflected in the gas corporation's purchased gas adjustment rates under tariff provisions approved by the commission provided, however, that such tariff provisions shall:**

(1) Limit increases or decreases in the gas cost portion of net write-offs as reflected in purchased gas adjustment rates to once each year;

(2) Require a true-up of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year; and

(3) Require commission review of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year to ensure that the gas corporation is prudently pursuing collection of amounts owed by its customers.

393.1000. As used in sections 393.1000 to 393.1006, the following terms mean:

(1) "Appropriate pretax revenues", the revenues necessary to produce net operating income equal to:

(a) The water corporation's weighted cost of capital multiplied by the net original cost of eligible infrastructure system replacements, including recognition of accumulated deferred income taxes and accumulated depreciation associated with eligible infrastructure system replacements which are included in a currently effective ISRS; and

(b) Recover state, federal, and local income or excise taxes applicable to such income; and

(c) Recover all other ISRS costs;

(2) "Commission", the Missouri public service commission;

(3) "Eligible infrastructure system replacements"[,]:

(a) Water utility plant projects that:

[(a)] a. Replace or extend the useful life of existing infrastructure;

[(b)] b. Are in service and used and useful;

[(c)] c. Do not increase revenues by directly connecting the infrastructure replacement to new customers; and

[(d)] d. Were not included in the water corporation's rate base in its most recent general rate case; **and**

- (b) **Energy efficiency projects that:**
 - a. **Are in service and used and useful;**
 - b. **Do not increase revenues by directly connecting the infrastructure replacements to new customers;**
- and
- c. **Were not included in the water corporation's rate base in its most recent general rate case;**
- (4) **"Energy efficiency", measures that reduce the amount of energy required to achieve a given end result;**
- (5) **"ISRS", infrastructure system replacement surcharge;**
- [(5)] (6) **"ISRS costs", depreciation expenses and property taxes that will be due within twelve months of the ISRS filing;**
- [(6)] (7) **"ISRS revenues", revenues produced through an ISRS, exclusive of revenues from all other rates and charges;**
- [(7)] (8) **"Water corporation", every corporation, company, association, joint stock company or association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any plant or property, dam or water supply, canal, or power station, distributing or selling for distribution, or selling or supplying for gain any water [to more than ten thousand customers];**
- [(8)] (9) **"Water utility plant projects" may consist only of the following:**
 - (a) **Mains, [and associated] valves [and], hydrants, service lines, and meters installed as replacements for existing facilities that have worn out or are in deteriorated condition or replaced as part of a commission order;**
 - (b) **Main cleaning and relining projects; [and]**
 - (c) **Facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the water corporation; and**
- (d) **Energy efficiency projects.**

393.1003. 1. Notwithstanding any provisions of chapter 386, RSMo, and this chapter to the contrary, as of August 28, [2003] **2011**, a water corporation [providing water service in a county with a charter form of government and with more than one million inhabitants] may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation's rates and charges to provide for the recovery of costs for eligible infrastructure system replacements [made in such county with a charter form of government and with more than one million inhabitants;], provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars, **or ten thousand dollars for a small water corporation as defined in section 393.146**, but not in excess of ten percent of the water corporation's base revenue level approved by the commission in the water corporation's most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006.

2. The commission shall not approve an ISRS for a water corporation [in a county with a charter form of government and with more than one million inhabitants] that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation collect an ISRS for a period exceeding three years unless the water corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.”; and

Further amend said bill, Page 24, Section 393.1075, Line 112, by inserting after all of said section and line the following:

“660.122. Funds appropriated under the authority of sections 660.100 to 660.136 may be used to pay the expenses of reconnecting or maintaining service to households that have had their primary or secondary heating or cooling source disconnected or service discontinued because of their failure to pay their bill. Any qualified household or other household which has as its head a person who is elderly or disabled, as defined in section 660.100, shall be eligible for assistance under this section if the income for the household is no more than one hundred fifty percent of the

current federal poverty level or sixty percent of the state median income and if moneys have been appropriated by the general assembly to the utilicare stabilization fund established pursuant to section 660.136. Payments under this section shall be made directly to the primary or secondary heating or cooling source supplier. Any primary or secondary heating or cooling source supplier subject to the supervision and regulation of the public service commission shall, at any time during the period of the cold weather rule specified in the cold weather rule as established and as amended by the public service commission, reconnect and provide services to each household eligible for assistance under this section in compliance with the terms of such cold weather rule, **provided that such suppliers shall permit customers who have not yet been disconnected and who incurred an arrearage during the cold weather rule period to retain service by paying during each of the three months following the cold weather rule period an amount equal to one-third of the customer's arrearage, plus the customer's current bill.** All home energy suppliers receiving funds under this section shall provide service to eligible households consistent with their contractual agreements with the department of social services **and sections 660.100 to 660.136.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill No. 207, Page 1, Line 4, by inserting immediately before said line the following:

“250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable for sums due for more than ninety days]. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages **for termination of such service, nor shall termination of such service be deemed constructive eviction.**

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Schoeller, **House Amendment No. 6, as amended**, was adopted.

Representative Dugger offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 207, Pages 21-24, Section 393.1075, Lines 1-112, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 7** was adopted.

Representative Holsman offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 207, Page 1, In the Title, Line 11, by inserting after the word "provision" the words "and an emergency clause for a certain section"; and

Further amend said bill, Page 24, Section 393.1075, Line 112, by inserting after all of said line the following:

"393.1400. Sections 393.1400 to 393.1445 shall be known as the "Renewable Energy Act".

393.1405. As used in sections 393.1400 to 393.1445, the following terms mean:

- (1) "Commission", the public service commission;**
- (2) "Delivered energy", the energy from a renewable energy resource that is owned by an electrical corporation or that an electrical corporation has contracted to purchase for Missouri customers;**
- (3) "Department", the department of natural resources;**
- (4) "Electric utility", any electrical corporation as defined by section 386.020;**
- (5) "Levelized cost of energy", the present value of annual costs of a renewable resource generator over the economic life divided by the present value of the annual output of a renewable resource generator over the economic life using the utility's discount rate, including all costs of transmission or distribution to get the energy into the utility's Missouri service territory;**
- (6) "Megawatts", the gross nameplate rating of an electrical generator producing electrical energy equal to one thousand kilowatts;**
- (7) "Missouri revenues", the electric utility's revenues from retail customers in Missouri as reported on its audited financial statements for calendar year 2010;**
- (8) "Net-metered customers", customers of an electric utility that install, own, and operate up to one hundred kilowatts of their own electrical generation at their property, that have executed all agreements required by the electric utility for connection of their electrical generation to the electric utility's system, and that are in compliance with the terms of all such agreements;**
- (9) "New renewable generation", electrical generation from a renewable energy resource that became fully operational and used for service after November 4, 2008;**
- (10) "Professional forester", any individual who holds a bachelor of science degree in forestry from a society of American Foresters accredited college or university with a minimum of two years of professional management experience;**
- (11) "Renewable energy credit" or "REC", a trackable certificate of proof that one megawatt-hour of electricity has been generated from one or more renewable energy resources;**

(12) "Renewable energy resources", the electricity derived from any of the following types of renewable energy resources or technologies:

- (a) Wind;
- (b) Solar thermal sources or solar photovoltaic cells and panels;
- (c) Dedicated crops grown for energy production—herbaceous and woody crops that are harvested specifically for energy production in a sustainable manner;
- (d) Cellulosic agricultural residues, which is organic matter remaining after the harvesting and processing of agricultural crops, which shall include:
 - a. Field residues, which are organic materials left on agricultural lands after the crops have been harvested, such as stalks, stubble, leaves, and seed pods; and
 - b. Process residues, which are organic materials left after the crops have been processed into a usable resource, such as husks, seeds, and roots;
- (e) Plant residues, which are residues of plants that would be converted into energy, that otherwise would be waste material;
- (f) Clean and untreated wood, which are nonhazardous wood that has not been chemically treated with chemical preservatives which include the following:
 - a. Eligible clean and untreated wood, but is not necessarily limited to, the following sources:
 - (i) Forest-related resources, such as precommercial thinnings waste, slash (tree tops, branches, bark, or other residue left on the ground after logging or other forestry operations), brush, shrubs, stumps, lumber ends, trimmings, yard waste, dead and downed forest products, and small diameter forest thinnings (twelve inches in diameter or less);
 - (ii) Nonchemically treated wood and paper manufacturing waste, such as bark, trim slabs, scrap, shavings, sawdust, sander dust, and pulverized scraps;
 - (iii) Vegetation waste, such as landscape waste or right-of-way trimmings;
 - (iv) Wood chips, pellets, briquettes, wood wastes, or woody energy crops;
 - (v) Municipal solid waste, construction, and demolition waste, urban wood waste, and other similar sources, only if wood wastes are segregated from other solid wastes or inorganic wastes; and
 - (vi) Other miscellaneous waste, such as waste pellets, pallets, crates, scrap wood, tree debris left after a natural catastrophe, and recycled paper fibers that are no longer suitable for recycled paper production;
 - b. Ineligible clean and untreated wood, but is not necessarily limited to, the following sources:
 - (i) Post-consumer wastepaper;
 - (ii) Wood from old growth forests (one hundred fifty years old or older); and
 - (iii) Unsegregated solid waste;
- (g) Methane from landfills or from wastewater treatment. As used in this paragraph, "wastewater treatment" is defined as physical, chemical, biological, and mechanical procedures applied to an industrial or municipal discharge or to any other sources of contaminated water to remove, reduce, or neutralize contaminants;
- (h) Hydropower, not including pumped storage, that does not require a new diversion or impoundment of water and that each generator has a nameplate rating of ten megawatts or less. If an improvement to an existing hydropower facility does not require a new diversion or impoundment of water and incrementally increases the nameplate rating of each generator, up to ten megawatts per generator, the improvement qualifies as an eligible renewable energy resource;
 - (i) Thermal depolymerization or pyrolysis for converting waste materials to energy;
 - (j) Fuel cells using hydrogen produced by renewable energy resources defined in this subdivision. RECs based on generating electricity in fuel cells from hydrogen derived from an eligible energy resource are eligible for compliance purposes only to the extent that the energy used to generate the hydrogen did not create RECs;
 - (k) Anaerobic digestion of farm animal waste; or
 - (l) Other sources of energy, not including nuclear, that become available after November 4, 2008, and are certified as eligible renewable energy resources as defined by the department in consultation with the commission;

(13) "Renewable energy standard" or "RES", the requirements established by sections 393.1400 to 393.1445;

(14) "The annual value of any renewable energy purchased or produced by the electric utility", the annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 shall for each hour of the annual period be calculated by

multiplying the energy produced from such resources in that hour by the actual wholesale price of energy in the electric utility's service territory as reflected by the regional transmission organization's real time hourly energy market prices within which the electric utility operates for that hour and totaling those products for the entire annual period. However, no such calculation or reduction shall be applied to dollars spent by utilities in meeting the requirement of sections 393.1415 and 393.1420.

393.1410. 1. Electric utilities shall own new renewable generation providing delivered energy, or shall purchase delivered energy from new renewable generation, or a combination thereof, totaling no less than the following nameplate amounts by the following dates:

(1) For an electric utility with total retail Missouri revenues as of December 31, 2010, of \$2.3 billion dollars or more:

- (a) By December 31, 2013: one hundred ten megawatts;**
- (b) By December 31, 2015: two hundred ten megawatts;**
- (c) By December 31, 2018: three hundred ten megawatts;**
- (d) By December 31, 2020: four hundred ten megawatts;**

(2) For an electric utility with total retail Missouri revenues as of December 31, 2010, of at least \$730 million dollars but no more than \$2.29 billion dollars:

- (a) By December 31, 2013: seventy megawatts;**
- (b) By December 31, 2015: one hundred seventy megawatts;**
- (c) By December 31, 2020: one hundred ninety-five megawatts;**

(3) For an electric utility with total retail Missouri revenues as of December 31, 2010, of at least \$708 million dollars but no more than \$780 million dollars:

- (a) By December 31, 2015: twenty megawatts;**
- (b) By December 31, 2018: one hundred twenty megawatts;**
- (c) By December 31, 2020: one hundred forty-five megawatts;**

(4) An electric utility with total retail Missouri revenues as of December 31, 2010, of less than seven hundred eight million dollars that owns renewable generation providing delivered energy, or purchases delivered energy from renewable generation, or a combination thereof, totaling at least one hundred forty-five megawatts by December 31, 2011, shall not be required to provide additional renewable generation or purchase additional delivered energy to comply with this section.

2. Notwithstanding subsection 1 of this section, if the levelized cost of energy from the new renewable generation prescribed by subsection 1 of this section exceeds seventy dollars per megawatt-hour adjusted annually for inflation according to the consumer price index, for each of the separate time periods in subsection 1 of this section, then the megawatts of new renewable generation prescribed for that time period by subsection 1 of this section shall be reduced by five percent for every dollar by which the levelized cost of energy exceeds seventy dollars per megawatt-hour adjusted annually for inflation according to the consumer price index.

3. Notwithstanding any provision of law to the contrary, the following limitations on rate impact shall apply:

(1) Notwithstanding any provision of the law to the contrary, the annual net cost during any calendar year to any billing account that experienced a billing demand of five thousand kilowatts or more during the preceding calendar year, and to any interstate pipeline pumping station regardless of size, shall not be more than one percent higher than the cost would have been without the renewable energy mandates set forth in sections 393.1400 to 393.1445, where such impact is measured in accordance with subsection 5 of this section;

(2) In addition, the one percent limitation shall apply to any other billing account of an entity qualifying under subdivision (1) of this subsection where that account consumed five million kilowatts or more during the preceding calendar year, and also to any billing account consuming more than five million kilowatts per year that belongs to a parent, subsidiary, or affiliate of the entity responsible for paying the billings for the account qualifying in subdivision (1) of this subsection;

(3) To qualify for the limitation in subdivision (2) of this subsection, the entity responsible for the billing account shall establish the existence of the required corporate relationship to the satisfaction of the electric utility.

4. In addition, the net cost during any calendar year to any billing account as measured in accordance with subsection 5 of this section, of a utility's compliance with the renewable mandate shall not exceed one hundred thousand dollars.

5. For the purpose of applying subsection 4 of this section, the annual net cost to any retail customer, of a utility's compliance with the renewable mandates shall be determined on an annual basis by computing that

customer's share of an electric utility's annual net costs to comply with the renewable mandates as follows and limiting that share to one hundred thousand dollars per year:

- (1) The following costs shall be added:
 - (a) Annual costs associated with owning, operating, and maintaining renewable energy resources used for compliance with sections 393.1400 to 393.1445;
 - (b) Annual costs of purchased RECs;
 - (c) Annual cost of solar rebates;
 - (d) Annual renewable energy purchases utilized for compliance with sections 393.1400 to 393.1445;
 - (e) Annual administrative and general costs related to compliance with sections 393.1400 to 393.1445;
- and
- (f) Additional operating costs incurred to integrate a renewable energy resource due to its intermittent operating characteristics;
- (2) The annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 (excluding sections 393.1415 and 393.1420) shall be subtracted from the sum of paragraphs (a) to (f) of subdivision (1) of this subsection.

Furthermore, for the purpose of applying subsection 3 of this section, the increased cost to the class defined therein shall be determined on an annual basis by taking its share of an electric utility's cost of compliance with the renewable mandates determined as follows and limiting it to one percent:

- (3) The following costs shall be added:
 - (a) Annual costs associated with owning, operating, and maintaining renewable energy resources used for compliance with sections 393.1400 to 393.1445;
 - (b) Annual costs of purchased RECs;
 - (c) Annual cost of solar rebates;
 - (d) Annual renewable energy purchases utilized for compliance with sections 393.1400 to 393.1445;
 - (e) Annual administrative and general costs related to compliance with sections 393.1400 to 393.1445;
- and
- (f) Additional operating costs incurred to integrate a renewable energy resource due to its intermittent operating characteristics;
- (4) The annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 (excluding sections 393.1415 and 393.1420) shall be subtracted from the sum of paragraphs (a) to (f) of subdivision (3) of this subsection.

6. An electric utility shall pay penalties of two thousand dollars per day for failure to meet the nameplate amounts specified in subsection 1 of this section. Any such monetary fine shall be distributed to the public schools under section 7, article IX of the Constitution of Missouri. An electric utility shall be excused from this subsection if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated.

7. The exclusive title and ownership of all RECs associated with the new renewable generation owned by an electric utility, or to which an electric utility has rights, associated with the generation referenced in this section shall be vested in the electric utility.

8. In the event the federal government enacts by statute and/or rule any provision or regulatory scheme that establishes requirements for electric utilities to generate or purchase electricity generated from renewable or clean energy resources that is stricter than the provisions of this section, such federal requirements shall supercede and take precedence over the requirements as set forth in this section and shall accordingly be deemed to preempt the provisions of this section and any portfolio requirement rules prescribed by the commission under subsection 1 of this section.

9. For purposes of subsection 3 of this section, the electric utility shall make a good faith effort to adjust its billings to comply with the rate impact limitations in subsections 3 and 4 of this section. Within ninety days of the end of each calendar year, the electric utility shall calculate the actual rate impact and reimburse any excess collection by means of a bill credit, which credit is subject to subsection 1 of section 393.1430.

10. Any new renewable generation within the state of Missouri shall be given a ten percent credit for purposes of compliance with sections 393.1400 to 393.1445.

11. (1) No renewable energy generator using woody biomass in Missouri as fuel shall be certified unless it converts the energy content of the wood or wood residue into electrical energy with an efficiency of at least thirty percent.

(2) Any harvesting of woody biomass in Missouri shall comply with the Missouri department of conservation's Missouri woody biomass in Missouri harvesting best management practices manual, as it may be updated from time-to-time or replaced.

(3) Harvest of woody biomass in Missouri shall be conducted to a site specific harvest plan prepared as part of a forest management plan for long-term forest sustainability developed by a professional forester.

(4) Compliance with subdivisions (2) and (3) of this subsection shall be verified by third-party, professional foresters at the harvest site using a specified sampling intensity and under standards prescribed by the Missouri department of conservation.

393.1415. 1. An electric utility shall provide financial incentives, of the following amounts, as follows:

(1) An electric utility with Missouri revenues of \$2.3 billion dollars or more shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) Thirteen million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) Seven million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) Two million dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020;

(2) An electric utility with Missouri revenues of at least \$730 million dollars but no more than \$2.29 billion dollars shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) Two and one-half million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) Two and one-quarter million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) One and one-half million dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020;

(3) An electric utility with Missouri revenues of at least \$708 million dollars but no more than \$780 million dollars shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) Two and one-half million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) Two and one-quarter million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) One and one-half million dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020;

(4) An electric utility with Missouri revenues of at least \$350 million dollars but no more than \$649 million dollars shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) One and one-half million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) One million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) Five hundred thousand dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020.

2. The financial incentive amounts prescribed by subsection 1 of this section shall at the discretion of the utility be treated as part of the electric utility's net capital investments in renewable energy resources for purposes of determining the appropriate RES rate under sections 393.1425 to 393.1443..

3. A net-metered customer shall be eligible for a financial incentive investment of three dollars per watt for the first twenty-five kilowatts of solar generation installed, and two dollars per watt for the next additional twenty-five kilowatts of solar generation installed for a maximum incentive not to exceed fifty kilowatts. Notwithstanding the foregoing provisions of this subsection, no customer shall receive a total financial incentive payment that exceeds sixty percent of the total installed cost of the customer's solar generation in years 2012 to 2013, fifty percent in years 2014 to 2017, forty percent in years 2018 to 2020, and no financial incentive payments shall be made until the customer has provided documentation approved by the electric utility establishing the total installed cost. To further ensure that all such installations provide the optimal electrical output, the commission shall establish terms and conditions so that such installations meet the requirements using established industry standards and practices.

4. An electric utility has no obligation to provide any additional financial incentive investments in a calendar year once the annual amount for that calendar year and any excess amount not otherwise provided to net-metered customers in any prior year as specified in subsection 1 of this section is exhausted. Financial incentive investment amounts not exhausted in a prior calendar year shall carry over to subsequent calendar years but no amounts shall be carried forward beyond December 31, 2021.

5. By accepting the terms and conditions established by the electric utility for eligibility and in conjunction with all net-metering requirements, financial incentives provided by subsection 3 of this section:

(1) For all systems, the net-metering customer agrees that the electric utility providing the financial incentive shall have and possess all right, title, and interest in and to all RECs generated up to a maximum of fifty kilowatts by the solar generation for which financial incentives were paid for a period of ten years after the solar generation became fully operational; provided, that thereafter, any such RECs shall belong to the net-metering customer owning the generation; and

(2) The net-metering customer installing a system of ten kilowatts or more agrees to install, at the customer's expense, a separate utility meter to measure the output from the customer's system.

6. Each electric utility shall make available to its retail customers a standard rebate offer of at least three dollars per installed watt for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, that become operational after August 28, 2011, and prior to January 1, 2012. All such amounts paid by an electric utility to a customer under this subsection shall be applied against the annual amount of financial incentive investments for calendar year 2012 as specified in subsection 1 of this section.

393.1420. 1. In addition to the requirements of subsection 1 of section 393.1415, an electric utility with revenues of \$2.3 billion dollars or more shall provide up to a maximum of five hundred thousand dollars annually in each of calendar years 2012, 2013, and 2014 to its net-metered customers that install nonsolar renewable energy resources of up to one hundred kilowatts that become fully operational within each respective calendar year.

2. The financial incentive amounts prescribed by subsection 1 of this section shall be expensed by the electric utility in the year in which they are paid.

3. A net-metered customer shall be eligible for a financial incentive of one dollar per watt for nonsolar renewable energy resources installed in 2012, 2013, or 2014 not to exceed one hundred kilowatts. Notwithstanding the foregoing provisions of this subsection, no customer shall receive a total financial incentive payment that exceeds forty percent of the total installed cost of the customer's new renewable generation, and no financial incentive payments shall be made until the customer has provided documentation approved by the electric utility establishing the total installed cost.

4. An electric utility has no obligation to provide any additional financial incentive investments in a calendar year once the annual amount for that calendar year and any excess amount not otherwise provided to net-metered customers in any prior year as specified in subsection 3 of this section is exhausted. Financial incentive amounts not exhausted in a prior calendar year shall carry over to subsequent calendar years but no amounts shall be carried forward beyond December 31, 2015.

5. By accepting the financial incentives provided by this section the net-metering customer installing a system of ten kilowatts or more agrees to install, at the customer's expense, a separate meter to measure the output from the customer's system.

393.1425. 1. As used in sections 393.1410 and 393.1425 to 393.1435, the following words and phrases mean:

(1) "Accumulation period", a period no greater than twelve months preceding a filing to establish or change the RES during which the RES expenses used in the filing are accumulated for recovery through the RES tariff;

(2) "RES capital costs", the depreciation expense and property taxes of the electric utility that are associated with the electric utility's capital investments in renewable energy resources that provide delivered energy, including capital investments made in compliance with section 393.1410 and capital investments made to comply with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445;

(3) "RES costs", the sum of:

(a) RES expenses;

(b) RES capital costs; and

(c) RES return applicable to a filing to establish or change an RES rate, less;

(d) The annual value of any renewable energy purchased or produced by the electric utility;

(4) "RES cost recovery mechanism" or "RCRM", the mechanism approved by the commission to allow an electric utility to recover all costs of compliance with the RES;

(5) "RES expenses", the sum of:

(a) The electric utility's accumulation period costs of obtaining delivered energy from renewable energy resources under contracts entered into on or after January 1, 2011, and the financial incentives paid and expensed by the electric utility during the accumulation period under sections 393.1415 and 393.1420; and

(b) The electric utility's unrecovered costs incurred on or after November 4, 2008, through the end of the accumulation period relating to its compliance with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445, including, but not limited to, its administrative costs, which include but are not limited to the cost to register, retire, or close out any account RECs with the North American Renewable Registry; the costs of solar rebates; the costs of solar RECs, whether acquired through a contract with the electric utility's customers or from third parties to meet the solar requirements of the RES; and any other costs incurred by the electric utility to meet the requirements of the RES. Any RES expenses that were previously included in the electric utility's rates shall be excluded;

(6) "RES rate", a rate approved by the commission for recovery of RES costs;

(7) "RES return", the electric utility's weighted average cost of capital multiplied by: the electric utility's net capital investments in renewable energy resources that provide delivered energy, including capital investments made to comply with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445, on the electric utility's books as of the end of the accumulation period. The income taxes related to the RES return shall be included;

(8) "RES revenues", revenues produced through a RES rate exclusive of revenues from all other rates and charges.

2. All RES costs incurred under paragraph (a) or (b) of subdivision (5) of subsection 1 of this section, regardless of contract term, shall be recovered in the electric utility's RES rate. That is, where the electric utility enters into contracts under subsection 1 of section 393.1410 that extend beyond the indicated dates, then all RES costs as defined in this section shall be included in the RES rate.

393.1430. 1. Notwithstanding any provisions of this chapter and chapter 386 to the contrary, beginning August 28, 2011, an electric utility may file a petition and proposed tariffs with the commission to establish a RCRM or to change a RES rate that will allow for the adjustment of the electric utility's rates and charges to provide for full recovery of RES costs, including full recovery of any RES costs in excess of the rate impact caps in section 393.1410. A RES rate and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1425 to 393.1435. RES revenues shall be subject to refund based upon a finding and order of the commission to the extent provided in subsections 5 and 8 of section 393.1435.

2. The commission shall not approve a RCRM or a RES rate for any electric utility that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past five years, unless the electric utility has filed for or is the subject of a new general rate proceeding.

3. In no event shall an electric utility collect a RES rate or continue to use an approved RCRM for a period exceeding five years unless the electric utility has filed for or is the subject of a new general rate proceeding where the terms of the RCRM are reviewed by the commission; provided that a RES rate that is approved in accordance with section 393.1435 may be collected until the effective date of new rate schedules established as a

result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.

393.1435. 1. (1) At the time that an electric utility files a petition with the commission seeking to establish or change a RES rate, it shall submit proposed tariffs and its supporting documentation regarding the calculation of the proposed RES with the petition, and shall serve the office of the public counsel with a copy of its petition, its proposed RES rate tariff, and its supporting documentation.

(2) Upon the filing of a petition and any associated tariffs, seeking to establish or change a RES rate, the commission shall publish notice of the filing.

2. (1) When a petition, along with any associated proposed tariffs, is filed under the provisions of sections 393.1425 to 393.1435, the staff of the commission shall conduct an examination of the proposed RES rate.

(2) The staff of the commission may audit the information of the electric utility to confirm that the underlying RES costs are in accordance with the provisions of sections 393.1425 to 393.1435, and to confirm proper calculation of the proposed RES rate, and may submit a report regarding its examination to the commission not later than sixty days after the petition is filed. No other revenue requirement or rate making issues may be examined in consideration of the petition or associated proposed RES rate filed under the provisions of sections 393.1425 to 393.1435.

(3) The commission may hold a hearing on the petition and any proposed RES rate and shall issue an order to become effective not later than one hundred twenty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of sections 393.1425 to 393.1435, the commission shall enter an order authorizing the electric utility to impose a RES rate that is sufficient to recover appropriate pretax revenue, as determined by the commission under the provisions of sections 393.1425 to 393.1435.

3. An electric utility may effectuate a change in its RES under the provisions of this section no more often than two times every twelve months.

4. In determining the appropriate RES rate, the commission shall consider only the following factors:

(1) The current state, federal, and local income tax or excise rates;

(2) The electric utility's actual regulatory capital structure as determined during the most recent general rate proceeding of the electric utility;

(3) The actual cost rates for the electric utility's debt and preferred stock as determined during the most recent general rate proceeding of the electric utility;

(4) The electric utility's cost of common equity as determined during the most recent general rate proceeding of the electric utility;

(5) The current property tax rate or rates applicable to the investments in renewable energy resources;

(6) The current depreciation rates applicable to the investments in renewable energy resources; and

(7) In the event information under subdivisions (2), (3), and (4) of this subsection are unavailable and the commission is not provided with such information as an agreed-upon basis, the commission shall refer to the testimony submitted during the most recent general rate proceeding of the electric utility and use, in lieu of any such unavailable information, the recommended capital structure, recommended cost rates for debt and preferred stock, and recommended cost of common equity that would produce the average weighted cost of capital based upon the various recommendations contained in such testimony.

5. (1) The monthly RES rate may be calculated based on a reasonable estimate of billing units in the period in which the charge will be in effect, which shall be conclusively established by dividing the appropriate RES revenues by the customer numbers reported by the electric utility in the annual report it most recently filed with the commission under subdivision (6) of section 393.140, and then further dividing this quotient by twelve; provided, however, that the monthly RES may vary according to customer class and may be calculated based on customer numbers as determined during the most recent general rate proceeding of the electric utility so long as the monthly RES revenue for each customer class maintains a proportional relationship equivalent to the proportional relationship of the monthly customer charge revenue for each customer class.

(2) At the end of each twelve-month calendar period the RCRM is in effect, the electric utility shall reconcile the differences between the RES revenues resulting from application of the RES rate and the appropriate RES revenues as found by the commission for that period and shall submit the reconciliation and a proposed RES rate adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustments to the RES.

6. (1) An electric utility that has implemented a RCRM under the provisions of sections 393.1425 to 393.1435 shall file revised tariffs to reset the RES rate to zero when new base rates and charges become effective

for the electric utility following a commission order establishing customer rates in a general rate proceeding that incorporates in the utility's base rates subject to subsections 8 and 9 of this section eligible costs previously reflected in a RES rate.

(2) Upon the inclusion in an electric utility's base rates subject to subsections 8 and 9 of this section of eligible costs previously reflected in a RES rate, the electric utility shall immediately thereafter reconcile any previously unreconciled RES revenues as necessary to ensure that revenues resulting from application of the RES rate match as closely as possible the appropriate RES revenues as found by the commission for that period.

7. An electric utility's filing of a petition or change to a RES rate under the provisions of sections 393.1425 to 393.1435 shall not be considered a request for a general increase in the electric utility's base rates and charges.

8. Commission approval of a petition and any associated rate schedules to establish or change a RES rate under the provisions of sections 393.1425 to 393.1435 shall in no way be binding upon the commission in determining the rate making treatment to be applied to eligible RES costs during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. In the event the commission disallows, during a subsequent general rate proceeding, recovery of any RES costs previously included in a RES rate, the electric utility shall change its RES rate in the future as necessary to recognize and account for any such over collections.

9. Nothing in this section shall be construed as limiting the authority of the commission to review and consider RES costs along with other costs during any general rate proceeding of any electric utility.

10. Nothing contained in sections 393.1425 to 393.1435 shall be construed to impair in any way the authority of the commission to review the reasonableness of the rates or charges of an electric utility, including review of the prudence of incurring RES costs, under the provisions of section 386.390.

11. Notwithstanding the terms of any fuel adjustment clause tariff approved for an electric utility under section 386.266, the cost of power purchased from a renewable energy resource shall constitute a RES expense as defined in subsection 2 of section 393.1425, and shall not constitute purchased power expense under any such fuel adjustment clause tariff.

12. The commission shall have the authority to promulgate rules for the implementation of sections 393.1425 to 393.1435, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of sections 393.1425 to 393.1435. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

13. Alternatively, an electric utility may recover RES compliance costs without use of the RES cost recovery mechanism, through rates established in a general rate proceeding. In the interim between general rate proceedings, the electric utility may defer the costs in a regulatory asset account, and monthly calculate a carrying charge on the balance in that regulatory asset account equal to its short-term cost of borrowing. All questions pertaining to rate recovery of the RES compliance costs in a subsequent general rate proceeding will be reserved to that proceeding, including the prudence of the costs for which rate recovery is sought and the period of time over which any costs allowed rate recovery will be amortized. Any rate recovery granted to RES compliance costs under this subsection shall be fully subject to the retail rate impact requirements of the RES.

393.1440. 1. Beginning October 1, 2011, for calendar year 2012, and by June thirtieth of each succeeding calendar year, an electric utility shall provide a written compliance plan to the commission documenting the electric utility's plans for meeting the requirements of sections 393.1405 to 393.1420 for at least the following three calendar years. The compliance plan shall include the electric utility's plans regarding the types of renewable energy resources the electric utility intends to build or acquire, and the time frames associated therewith.

2. Beginning April 15, 2013, for calendar year 2012, and by April fifteenth of each succeeding calendar year, an electric utility shall provide a compliance report to the commission documenting the electric utility's progress in meeting the requirements of sections 393.1405 to 393.1420 for the preceding calendar year.

393.1443. Notwithstanding the Missouri Public Service Commissions Agreement and Order number EO-2005-0329, a utility shall recover its costs in accordance with sections 393.1400 to 393.1440, and the Missouri Public Service Commission shall allow for such recovery under sections 393.1400 to 393.1440.

393.1445. For purposes of compliance with the requirements of sections 393.1405 to 393.1420, electric utilities owned by the same holding company and operated commonly may reallocate the commitments between the electric utilities at its discretion such that the overall commitment is maintained.

620.2300. 1. As used in this section, the following terms shall mean:

- (1) "Department", the Missouri department of economic development;
- (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;
- (3) "Commission", the Missouri public service commission;
- (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;
- (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;
- (6) "Major source", the same meaning as is provided under 40 CFR 70.2;
- (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;
- (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:
 - (a) The area consists of at least fifty contiguous acres;
 - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States Environmental Protection Agency;
 - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;
 - (d) The development plan for the area includes a biomass facility; and
 - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;
- (9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;
- (10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;
- (11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;
- (12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign twice credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and

Further amend said bill, Page 24, Section 386.850, Line 6, by inserting after all of said line the following:

"[393.1020. Sections 393.1025 and 393.1030 shall be known as the "Renewable Energy Standard".]

[393.1025. As used in sections 393.1020 to 393.1030, the following terms mean:

(1) "Commission", the public service commission;

(2) "Department", the department of natural resources;

(3) "Electric utility", any electrical corporation as defined by section 386.020;

(4) "Renewable energy credit" or "REC", a tradeable certificate of proof that one megawatt-hour of electricity has been generated from renewable energy sources; and

(5) "Renewable energy resources", electric energy produced from wind, solar thermal sources, photovoltaic cells and panels, dedicated crops grown for energy production, cellulosic agricultural residues, plant residues, methane from landfills, from agricultural operations, or from wastewater treatment, thermal depolymerization or pyrolysis for converting waste material to energy, clean and untreated wood such as pallets, hydropower (not including pumped storage) that does not require a new diversion or impoundment of water and that has a nameplate rating of ten megawatts or less, fuel cells using hydrogen produced by one of the above-named renewable energy sources, and other sources of energy not including nuclear that become available after November 4, 2008, and are certified as renewable by rule by the department.]

[393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility's sales:

(1) No less than two percent for calendar years 2011 through 2013;

(2) No less than five percent for calendar years 2014 through 2017;

(3) No less than ten percent for calendar years 2018 through 2020; and

(4) No less than fifteen percent in each calendar year beginning in 2021. At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance.

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. Each electric utility shall make available to its retail customers a standard rebate offer of at least two dollars per installed watt for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, that become operational after 2009.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.]

[393.1040. In addition to the renewable energy objectives set forth in sections 393.1025, 393.1030, and 393.1035, it is also the policy of this state to encourage electrical corporations to develop and administer energy efficiency initiatives that reduce the annual growth in energy consumption and the need to build additional electric generation capacity.]

[393.1045. Any renewable mandate required by law shall not raise the retail rates charged to the customers of electric retail suppliers by an average of more than one percent in any year, and all the costs associated with any such renewable mandate shall be recoverable in the retail rates charged by the electric supplier. Solar rebates shall be included in the one percent rate cap provided for in this section.]

Section B. Because of the need to ensure the creation of jobs through the utilization of alternative energy sources, the enactment of section 620.2300 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 620.2300 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wyatt offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1 to House Amendment No. 8 was withdrawn.

2005 *Journal of the House*

On motion of Representative Holsman, **House Amendment No. 8** was adopted by the following vote:

AYES: 080

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Carlson
Casey	Cauthorn	Colona	Conway 14	Conway 27
Diehl	Ellinger	Fallert	Fisher	Fitzwater
Frederick	Gosen	Guernsey	Hampton	Harris
Holsman	Hoskins	Hough	Hummel	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Kratky	Largent
Leach	Leara	Loehner	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Newman	Nichols	Oxford	Pierson
Quinn	Reiboldt	Rizzo	Schneider	Schupp
Shively	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Swearingen	Talboy	Torpey
Wallingford	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 057

Asbury	Bernskoetter	Brattin	Brown 85	Brown 116
Burlison	Carter	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fraker
Franklin	Fuhr	Funderburk	Gatschenberger	Grisamore
Higdon	Hinson	Houghton	Hubbard	Johnson
Koenig	Korman	Lair	Lauer	Lichtenegger
Long	Nance	Neth	Nolte	Pace
Parkinson	Pollock	Richardson	Riddle	Rowland
Ruzicka	Schad	Schieber	Schoeller	Smith 71
Stream	Thomson	Walton Gray	Webb	Wells
Weter	White			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 022

Brown 50	Day	Flanigan	Franz	Haefner
Hodges	Hughes	Lampe	Lant	Lasater
Nasheed	Peters-Baker	Phillips	Redmon	Sater
Scharnhorst	Schatz	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Representative Riddle offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 207, Page 21, Section 393.1075, Line 1, by inserting immediately prior to all of said section and line the following:

“386.370. 1. **Prior to the beginning of each fiscal year**, the commission shall[, prior to the beginning of each fiscal year beginning with the fiscal year commencing on July 1, 1947,] make an estimate of the expenses to be incurred by it during such fiscal year reasonably attributable to the regulation of public utilities as provided in chapters 386, 392, and 393. **Prior to the beginning of each fiscal year, the public counsel shall make an estimate of the expenses to be incurred by him or her during such fiscal year reasonably attributable to his or her responsibilities under sections 387.700 and 386.710. The commission and the public counsel** shall also separately estimate the amount of such expenses directly attributable to [such regulation of] each of the following groups of public utilities: Electrical corporations, gas corporations, water corporations, heating companies [and telephone corporations, telegraph corporations], **telecommunications companies**, sewer corporations, and any other public utility as defined in section 386.020, as well as the amount of such expenses not directly attributable to any such group.

2. The commission **and the public counsel** shall **each** allocate to each such group of public utilities the **total** estimated expenses directly attributable to [the regulation of] **their respective activities for each** such group and an amount equal to such proportion of the estimated expenses not directly attributable to any group as the gross intrastate operating revenues of such group during the preceding calendar year bears to the total gross intrastate operating revenues of all public utilities subject to the jurisdiction of the commission, as aforesaid, during such calendar year. The commission shall then assess the amount so allocated **by the commission and the public counsel** to each group of public utilities, subject to reduction as herein provided, to the public utilities in such group in proportion to their respective gross intrastate operating revenues during the preceding calendar year, except that:

(1) The total amount so assessed to all such public utilities **that is attributable to the commission's regulation of such utilities** shall not exceed [one-fourth] **twenty-two hundredths** of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission; **and**

(2) **The total amount so assessed to all such public utilities that is attributable to the public counsel's responsibilities under sections 386.700 and 386.710 shall not exceed two hundredths of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission, and the amount allocated to telecommunications companies shall not exceed three percent of the total estimated expenses directly attributable to the public counsel's responsibilities.**

If any electrical corporation obtains a combined license granted by the United States Nuclear Regulatory Commission or a successor organization then during the fiscal year immediately following the year in which the combined license was granted, and for each fiscal year thereafter, the total amount assessed under subdivision (1) of this subsection shall increase to an amount not to exceed twenty-three hundredths of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission, and the total amount assessed under subdivision (2) of this subsection shall increase to an amount not to exceed three hundredths of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission. Nothing in this section shall authorize the commission to determine how the public counsel allocates the estimated expenses directly attributable to his or her responsibilities under sections 386.700 and 386.710 with respect to the public utilities described in subsection 1 of this section or how the assessment imposed under this section is spent by the public counsel.

3. The commission shall render a statement of [such assessment] **the assessments made under subsections 1 and 2 of this section** to each such public utility on or before July first and the [amount] **amounts** so assessed to each such public utility shall be paid by it to the director of revenue in full on or before July fifteenth next following the rendition of such statement, except that any such public utility may at its election pay such assessment in four equal installments not later than the following dates next following the rendition of said statement, to wit: July fifteenth, October fifteenth, January fifteenth and April fifteenth. The director of revenue shall remit such payments to the state treasurer.

4. The state treasurer shall **respectively** credit such payments to [a] **two** special [fund] **funds**, which [is] **are** hereby created, to be known as "The Public Service Commission Fund", which fund, or its successor fund created pursuant to section 33.571, shall be devoted solely to the payment of expenditures actually incurred by the commission and attributable to the regulation of such public utilities subject to the jurisdiction of the commission, as aforesaid, **and "The Public Counsel Fund", which fund, or any successor fund, shall be devoted solely to the payment of expenditures actually incurred by the public counsel and attributable to his or her responsibilities under sections**

386.700 and 386.710. Any [amount] **amounts** remaining in such special [fund] **funds** or [its] **their respective** successor [fund] **funds** at the end of any fiscal year shall not revert to the general revenue fund, but shall be applicable by appropriation of the general assembly to the payment of such expenditures of the commission **or the public counsel** in the succeeding fiscal year and shall be applied by the commission **or the public counsel** to the reduction of the amount to be assessed to such public utilities in such succeeding fiscal year, such reduction to be allocated to each group of public utilities in proportion to the respective gross intrastate operating revenues of the respective groups during the preceding calendar year.

5. In order to enable the commission **and the public counsel** to make the allocations and assessments herein provided for, each public utility subject to the jurisdiction of the commission as aforesaid shall file with the commission[, within ten days after August 28, 1996, and thereafter] on or before March thirty-first of each year, a statement under oath showing its gross intrastate operating revenues for the preceding calendar year, and if any public utility shall fail to file such statement within the time aforesaid the commission shall estimate such revenue which estimate shall be binding on such public utility for the purpose of this section.

393.135. **1.** Any charge made or demanded by an electrical corporation for service, or in connection therewith, which is based on the costs of construction in progress upon any existing or new facility of the electrical corporation, or any other cost associated with owning, operating, maintaining, or financing any property before it is fully operational and used for service, is unjust and unreasonable, and is prohibited.

2. After October 1, 2011, an electrical corporation that seeks an early site permit from the U.S. Nuclear Regulatory Commission, or a successor organization, shall, upon commencement of the permitting process, submit monitoring reports to the commission every six months documenting work completed, total expenditures to date, work yet to be completed, and anticipated expenditures yet to be incurred in order to obtain the early site permit.

3. Notwithstanding the provisions of subsection 1 of this section, an electrical corporation that has obtained an early site permit and that has complied with subsection 2 of this section shall be entitled to recover through rates charged to ratepayers all costs the electrical corporation has prudently incurred, from the first dollar through the cap outlined below, to obtain the permit in a principal amount not to exceed forty-five million dollars for such site permit. Any electrical corporation that, as part of a partnership or other group formed for such purpose, contributes or otherwise bears any portion of the costs incurred to obtain an early site permit shall also be entitled to recover its share of such costs, provided the total principal amount does not exceed the cost limitation included in this subsection. The principal amount shall be recovered through each applicable electrical corporation's rates charged to its ratepayers ratably over a period not to exceed twenty years. In addition to recovery of the principal amount, each applicable electrical corporation's rates shall also include interest on the uncollected principal balance at a rate per annum equal to the electrical corporation's commission-approved return on rate base. Recovery shall commence with the effective date of tariffs approved by the commission in each applicable electrical corporation's first general rate proceeding following the date on which the early site permit is obtained.

4. If an electrical corporation has recovered from ratepayers expenditures for an early site permit pursuant to subsection 3 of this section and then subsequently sells or transfers some or all of its interest in the early site permit or subsequently receives reimbursement for all or part of its costs from another source, the commission shall prescribe how the electrical corporation shall credit the sums paid by ratepayers that are equal to such sale, transfer, or reimbursement amounts after the proceeds from the sale, transfer, or reimbursement are received. The commission shall also prescribe how any profits from such sale or transfer are shared between the electrical corporation and ratepayers. Credits made to ratepayers shall include interest on the uncredited balance at a rate per annum equal to the electrical corporation's commission-approved short-term borrowing rate.

5. If an electrical corporation that obtains an early site permit does not obtain a combined license from the U.S. Nuclear Regulatory Commission, or a successor organization, for the construction and operation of a nuclear generating facility by the time the early site permit expires, or does not commence construction of such a facility by the time the early site permit expires, the commission shall open a proceeding to examine whether the electrical corporation was imprudent in not obtaining the combined license or not commencing construction by the time the early site permit expired. If, after hearing, the commission determines that the electrical corporation acted imprudently, the commission shall require the electrical corporation and any other applicable electrical corporation to credit to ratepayers the amount of revenues deemed imprudent by the commission that each electrical corporation collected pursuant to subsection 3 of this section. If ratepayer credits are ordered, such credits shall return to ratepayers, over a period of not less than five nor more than ten years, the amount

of revenues deemed imprudent by the commission, including interest on the uncredited balance at a rate per annum equal to the electrical corporation's commission-approved short-term borrowing rate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 207, Page 2, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

“of the commission, and the amount allocated to telecommunications companies, water corporations, and gas corporations shall not exceed three percent, five percent and fifteen percent, respectively, of the total estimated expenses directly attributable to the public counsel’s responsibilities.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

2009 *Journal of the House*

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Diehl	Hodges	Hughes
Lant	McManus	Neth	Peters-Baker	Phillips
Richardson	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

On motion of Representative Riddle, **House Amendment No. 9, as amended**, was adopted by the following vote:

AYES: 121

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown 85
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leara	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	Meadows	Molendorp	Montecillo	Nance
Newman	Nichols	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shively	Shumake
Sifton	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 021

Anders	Brandom	Brown 116	Carlson	Cookson
Ellinger	Hampton	Holsman	Keeney	Kirkton
Klippenstein	Leach	Lichtenegger	Marshall	McNeil
Nolte	Oxford	Richardson	Schieber	Schupp
Silvey				

PRESENT: 000

ABSENT WITH LEAVE: 018

Berry	Brown 50	Cox	Hodges	Hough
Hughes	Lant	McManus	Nasheed	Neth
Peters-Baker	Phillips	Sater	Schieffer	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

HCS SB 207, as amended, was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 17, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 17, as amended**, was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton

2011 *Journal of the House*

Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Brown 50	Brown 116	Cox	Day
Hodges	Hughes	Lant	McManus	Peters-Baker
Phillips	Ruzicka	Sater	Schad	Schieffer
Stream	Swinger	Taylor	Webber	Wright

VACANCIES: 003

On motion of Representative Silvey, **SCS HCS HB 17, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Day	Hodges	Hughes
Lant	McManus	Neth	Peters-Baker	Phillips
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 18, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 18, as amended**, was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	White	Wieland	Wyatt	Mr Speaker

NOES: 014

Bahr	Brattin	Curtman	Dugger	Fuhr
Houghton	Koenig	Lasater	Lichtenegger	Marshall
Parkinson	Pollock	Smith 150	Wells	

PRESENT: 000

2013 *Journal of the House*

ABSENT WITH LEAVE: 021

Brown 50	Cox	Diehl	Hinson	Hodges
Hughes	Jones 117	Lant	McManus	Nolte
Peters-Baker	Phillips	Ruzicka	Sater	Schieffer
Swinger	Taylor	Webber	Weter	Wright
Zerr				

VACANCIES: 003

On motion of Representative Silvey, **SCS HCS HB 18, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Holsman	Hoskins	Hough
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Neth
Nichols	Oxford	Pace	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 015

Bahr	Brattin	Curtman	Dugger	Fuhr
Hinson	Houghton	Koenig	Lasater	Lichtenegger
Marshall	Parkinson	Pollock	Smith 150	Wells

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Brown 116	Cox	Gatschenberger	Hodges
Hughes	Lant	McManus	Nance	Newman
Nolte	Peters-Baker	Phillips	Ruzicka	Sater
Schieffer	Swinger	Taylor	Webber	Wright

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 21, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 21** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nolte	Peters-Baker	Phillips	Pollock
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

On motion of Representative Silvey, **SCS HCS HB 21** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Carlson	Cox	Hodges	Hughes
Lant	McManus	Nasheed	Nolte	Peters-Baker
Phillips	Ruzicka	Sater	Schieffer	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 22, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 22, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nasheed	Nolte	Peters-Baker	Phillips
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

2017 *Journal of the House*

On motion of Representative Silvey, **SCS HCS HB 22, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nance	Nolte	Peters-Baker	Phillips
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 61, relating to local government, was taken up by Representative Nasheed.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 61, Page 5, Section 67.1521, Line 57, by inserting after all of said section and line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall

serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Nasheed offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 61, Page 6, Section 84.344, Line 1, by deleting the word "**department**" and inserting in lieu thereof the following:

"force"; and

Further amend said bill, Page 6, Section 84.344, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"the discharge of the official duties of said force;"; and

Further amend said bill, Page 6, Section 84.344, Line 13, by deleting all of said line and inserting in lieu thereof the following:

"force; or"; and

Further amend said bill, Page 6, Section 84.344, Line 15, by deleting the word "**department**" and inserting in lieu thereof the following:

"force"; and

Further amend said bill, Page 6, Section 84.344, Line 17, by deleting the word "**department**" and inserting in lieu thereof the following:

"force"; and

Further amend said bill, Page 7, Section 84.345, Line 1, by deleting the number "**1.**"; and

Further amend said bill, Page 7, Section 84.345, Line 9, by deleting the word "**cities**" and inserting in lieu thereof the following:

"city"; and

Further amend said bill, Page 7, Section 84.345, Lines 14 to 28, by deleting all of said lines; and

Further amend said bill, Page 7, Section 84.346, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"not within a county may establish a municipal police force on or after January 1, 2012, according to the procedures and"; and

Further amend said bill, Page 7, Section 84.346, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"2. Before the establishment of a municipal police force by a city under sections 84.345 to 84.348, the board of police commissioners shall convey, assign, and otherwise transfer to the city title and ownership of all indebtedness and assets, including, but not limited to, all funds and real and personal property held in the name of or controlled by the board of police commissioners created under sections 84.020 and 84.030. The board of police commissioners shall execute all documents reasonably required to accomplish such transfer of ownership and obligations.

3. Upon the completion of the transfer described in subsection 2 of this section, the city shall appropriate the necessary funds for the maintenance of the municipal police force, however, in no event shall the city be required to appropriate funds for pensions or retirement plans for any fiscal year in excess of any limitation imposed by section 21, article X, of the Missouri Constitution. Such city may appropriate, by ordinance, a sum in excess of such limitation for any fiscal year. Nothing in sections 84.345 to 84.348 shall be construed as requiring a new activity or service, or an increase in the level of any activity or service, beyond that required by existing law if the city elects to establish a police force under sections 84.345 to 84.348.

4. Before a city not within a county may establish a municipal police force under this section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the board of police commissioners.

5. A city not within a county that establishes a municipal police force shall initially" and renumber all remaining subsections accordingly; and

Further amend said bill, Page 8, Section 84.346, Lines 14 to 16, by deleting all of said lines and inserting in lieu thereof the following:

"to as employees of the board of police commissioners."; and

Further amend said bill, Page 8, Section 84.346, Line 27, by deleting "**8 of section 84.346.**" and inserting in lieu thereof the following:

"6 of this section."; and

Further amend said bill, Page 8, Section 84.346, Lines 43 to 71, by deleting all of said lines; and

Further amend said bill, Page 10, Section 84.346, Line 80, by deleting the semicolon; and

Further amend said bill, Page 10, Section 84.346, Line 84, by deleting the semicolon; and

Further amend said bill, Page 10, Section 84.346, Line 92, by deleting the words "**purpose of coordinating**" and inserting in lieu thereof the following:

"purpose of: coordinating"; and

2021 *Journal of the House*

Further amend said bill, Page 10, Section 84.347, Line 7, by deleting number "**84.345**" and inserting in lieu thereof the following:

"84.346"; and

Further amend said bill, Page 10, Section 84.347, Line 13, by deleting the words "**section 84.345, and state shall continue**" and inserting in lieu thereof the following:

"section 84.346, and state shall not continue"; and

Further amend said bill, Page 11, Section 84.347, Line 14, by deleting the words "**shall continue**" and inserting in lieu thereof the following:

"shall not continue"; and

Further amend said bill, Page 11, Section 84.347, Line 16, by deleting the words "**collective bargaining agreement,**"; and

Further amend said bill, Page 11, Section 84.347, Line 19, by deleting the number "**5**" and inserting in lieu thereof the following: "**8**"; and

Further amend said bill, Page 15, Section 86.213, Line 33, by inserting after all of said line the following:

"86.371. In the event that the state or any state official is ordered to provide state funds to any city not within a county to satisfy pension obligations to any member of the system provided for in sections 86.200 to 86.366, the amount of state funds ordered shall constitute a first lien on the funds of such city. The state is authorized to certify such amount to the state treasurer and the director of the department of revenue. The state treasurer and the director of the department of revenue shall withhold all moneys due the city not within a county from the state until such amount, together with regular interest, is satisfied."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 2** was adopted.

Representative Funderburk offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 61, Page 6, Section 84.344, Line 20, by inserting after all of said line the following:

"3. The chief, or any manager of the highest rank regardless of that person's title, of a municipal police force established under section 84.346 shall not:

(1) Solicit orally, by letter, or otherwise any assessment, contribution, or payment for any political purpose whatsoever;

(2) Directly or indirectly give, pay, lend, or contribute any of his or her salary, compensation, money, or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatsoever;

(3) Use his or her official authority or influence for the purpose of interfering with any election, nomination for office, or result thereof;

(4) Be a member or official of any committee of any political party or board of aldermen;

(5) Solicit any person to vote for or against any candidate for public office, poll precincts, or be connected with other political work of similar character on behalf of any political organization, party, or candidate;

(6) Affix any sign, bumper sticker, or other device, which either supports or opposes any ballot measure or political candidate, to any property or vehicle under the control of the police force;

- (7) Publicly endorse a candidate for any public office;**
- (8) Work for, or provide any service to, on a paid or voluntary basis, a candidate for any public office or a campaign for or against any ballot initiative.**

All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. Any person who violates this subsection shall immediately forfeit and vacate his or her office."; and

Further amend said bill, Page 8, Section 84.346, Line 36, by deleting all of said line and inserting in lieu thereof the following:

"the rules and regulations. Unless otherwise provided for,"; and

Further amend said bill, Page 8, Section 84.346, Line 39, by deleting the word "**may**" and inserting in lieu thereof the following:

"shall"; and

Further amend said bill, Page 8, Section 84.346, Line 40, by inserting immediately after the word "**appeals**" the following:

"that involve discipline resulting in a suspension of greater than fifteen days, demotion, or termination"; and

Further amend said bill, Page 10, Section 84.346, Line 80, by deleting the word "**retired**" and inserting in lieu thereof the following:

"retire"; and

Further amend said bill, Page 10, Section 84.346, Lines 101 and 102, by deleting said lines and inserting in lieu thereof the following:

"enforcement officers. The remaining members of the committee shall include the police chief of the municipal police force, the city's director of public safety, and a person who has retired from service with the board of police commissioners or the municipal police who shall be appointed to the committee by a law enforcement association that represents a majority of members of the municipal police force. The committee shall elect a chair by majority vote."; and

Further amend said bill, Page 11, Section 84.349, Line 4, by inserting at the end of said line the following:

"The nonseverability provision in this section shall not apply to subsection 3 of section 84.344."; and

Further amend said bill, Page 15, Section 86.213, Lines 13 and 14, by deleting all of said lines and inserting in lieu thereof the following:

"[(3) Three] (2) Two members to be appointed by the mayor of the city to serve for a term of two years, except the mayor shall not appoint the police chief of the municipal police force, the city's director of public safety, or the president of the board of police commissioners of the city;"; and

Further amend said bill, Page 15, Section 86.213, Line 23, by deleting all of said line and inserting in lieu thereof the following:

"[(5) Two] (4) Three members who shall be retired members of the retirement system to be"; and

Further amend said bill, Page 21, Section 2, Line 4, by inserting after all of said line the following:

"Section 3. No elected or appointed official of the state or any political subdivision thereof shall act or refrain from acting in any manner to impede, obstruct, hinder, or otherwise interfere with any member of a municipal police force established under section 84.346 in the performance of his or her job duties, or with any aspect of any investigation arising from the performance of such job duties. This section shall not be construed to prevent such officials from acting within the normal course and scope of their employment or from acting to implement sections 84.345 to 84.348. Any person who shall violate this section shall be liable for a penalty of two thousand five hundred dollars for each offense and shall forever be disqualified from holding any office or employment whatsoever with the governmental entity the person served at the time of the violation. The penalty shall not be paid by the funds of any committee as the term "committee" is defined in section 130.011. This section shall not be construed to interfere with the punishment, under any laws of this state, of a criminal offense committed by such officials, nor shall this section apply to duly appointed members of the municipal police force, or their appointing authorities, whose conduct is otherwise provided for by law.

Section 4. 1. It shall be an unlawful employment practice for an official, employee, or agent of a municipal police force established under section 84.346 to discharge, demote, reduce the pay of, or otherwise retaliate against an employee of the municipal police force for reporting to any superior, government agency, or the press the conduct of another employee that the reporting employee believes, in good faith, is illegal.

2. Any employee of the municipal police force may bring a cause of action for general or special damages based on a violation of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 3** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Redmon	Reiboldt	Richardson
Riddle	Rowland	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 044

Atkins	Aull	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Brown 50	Cox	Hodges	Hughes
Lant	McManus	Peters-Baker	Phillips	Pollock
Ruzicka	Sater	Schatz	Schieffer	Schneider
Swearingen	Swinger	Taylor	Webber	Wright

VACANCIES: 003

On motion of Representative Nasheed, **HCS SB 61, as amended**, was adopted.

On motion of Representative Nasheed, **HCS SB 61, as amended**, was read the third time and passed by the following vote:

AYES: 114

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Crawford	Cross	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCann Beatty	McDonald
McGhee	McNary	McNeil	Meadows	Montecillo
Nasheed	Nichols	Nolte	Oxford	Pace
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Schad	Scharnhorst
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wyatt	Mr Speaker	

2025 *Journal of the House*

NOES: 028

Berry	Brattin	Brown 85	Conway 14	Curtman
Davis	Dugger	Entlicher	Fuhr	Haefner
Hampton	Kirkton	Marshall	McCaherty	McGeoghegan
Nance	Neth	Newman	Parkinson	Reiboldt
Schieber	Shively	Swearingen	Wells	Weter
White	Wieland	Zerr		

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Peters-Baker	Phillips	Ruzicka	Sater
Schatz	Schieffer	Schneider	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SB 187, relating to nuisance actions, was taken up by Representative Guernsey.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Cox	Hodges	Hughes	Lant
McManus	McNary	Peters-Baker	Phillips	Ruzicka
Sater	Schatz	Schieffer	Schneider	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

On motion of Representative Guernsey, **HCS SB 187** was adopted.

On motion of Representative Guernsey, **HCS SB 187** was read the third time and passed by the following vote:

AYES: 100

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Reidmon	Reiboldt	Richardson	Riddle
Rowland	Schad	Scharnhorst	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 042

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Ellinger	Fallert	Harris

2027 *Journal of the House*

Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nasheed	Peters-Baker	Phillips	Ruzicka
Sater	Schatz	Schieffer	Schneider	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SS SB 226, relating to ambulance districts, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 1, Section 143.789, Lines 4-10, by deleting all of said lines and inserting in lieu thereof the following:

“(1) **Delinquent taxes owed by the taxpayer to the state of Missouri;**
(2) **Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which are enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425;**
(3) **Collection assistance fees authorized under section 143.790;**
(4) **Eligible claims under section 143.790; and**
(5) **Delinquent taxes owed by the taxpayer to the United States.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Section 143.790, Page 8, Line 245, by inserting after all of said section and line the following:

“143.1016. 1. For all tax years beginning on or after January 1, 2011, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that two dollars or any amount in excess of two dollars on a single return, and four dollars or any amount in excess of four dollars on a combined return, of the refund due be credited to the organ donor program fund established in section 194.297. The contribution designation authorized by this section shall be clearly and unambiguously

printed on each income tax return form provided by this state. If any individual that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the organ donor program fund, such individual may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, clearly designated for the organ donor program fund, the amount the individual wishes to contribute. The department of revenue shall deposit such amount to the organ donor program fund as provided in subsection 2 of this section.

2. The director of revenue shall transfer at least monthly all contributions designated by individuals under this section, less an amount sufficient to cover the cost of collecting and handling by the department of revenue which shall not exceed five percent of the transferred contributions, to the state treasurer for deposit in the state treasury to the credit of the organ donor program fund. A contribution designated under this section shall only be transferred and deposited in the organ donor program fund after all other claims against the refund from which such contribution is to be made have been satisfied.

3. All moneys transferred to the fund shall be distributed as provided in this section and sections 194.297 and 194.299.

4. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 1, Section A, Line 3, by inserting after all of said line the following:

"66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group A shall include all portions of any city of the fourth**

classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group B shall not include any portion of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.**

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage

which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined

by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 3** was adopted.

Representative Stream offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 8, Section 143.790, Line 245, by inserting after all of said section the following:

“170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.

2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.

3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.

5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 4** was adopted.

On motion of Representative Franz, **HCS SS SB 226, as amended**, was adopted.

On motion of Representative Franz, **HCS SS SB 226, as amended**, was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McDonald	McGhee	McNary	Meadows

2033 *Journal of the House*

Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Schad	Scharnhorst
Schieber	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Still	Stream	Talboy
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 021

Anders	Atkins	Carlson	Harris	Kirkton
May	McCann Beatty	McGeoghegan	McNeil	Montecillo
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Spreng	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Peters-Baker	Phillips	Pollock	Richardson
Ruzicka	Sater	Schatz	Schieffer	Schneider
Swinger	Taylor	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

SS#2 SCS SB 320, relating to domestic violence, was taken up by Representative Diehl.

On motion of Representative Diehl, **SS#2 SCS SB 320** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols

Oxford	Pace	Parkinson	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schieber	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nasheed	Nolte	Peters-Baker	Phillips
Pollock	Richardson	Ruzicka	Sater	Schatz
Schieffer	Schneider	Swinger	Taylor	Webber
Wright	Mr Speaker			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

HCS SB 322, relating to federal reimbursement allowances, was taken up by Representative Kelly (24).

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 322, Page 1, In the Title, Line 3, by deleting the words, “certain provider taxes” and inserting in lieu thereof the words, “the collection and distribution of public money”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Flanigan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 322, Section A, Page 1, Line 3, by inserting the following after all of said line:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law, **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2012, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his **or her** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself **or herself** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his **or her** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **He or she** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him **or her** under the local sales tax law or in the event a determination has been made against him **or her** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first

calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2012, the possession of a statement from the department of revenue stating no tax is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under sections 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2012, in lieu of subsection 1 of this section, the director may enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under sections 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in chapters 143 and 144, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2011, to October 31, 2011, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2011. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2010, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted, unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due within sixty days of approval by the department of revenue, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2011, shall be invalid and void.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official" means a unit or official of the federal government charged with the collection of non-tax liabilities payable to the federal government under 31 U.S.C. section 3716.

(2) "State agency" means any department, division, board, commission, office, or other agency of the state of Missouri.

(3) "Non-tax liability due the state" means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other non-tax assessments imposed by or payable to any state agency that is finally determined to be due and owing.

(4) "Person" means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing.

(5) "Refund" means an amount described as a refund of tax under the provisions of the state tax law that authorized its payment.

(6) "Vendor payment" means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

(7) "Offset agreement" is the agreement authorized by this section.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent non-tax liability owed by the person to the federal government; and

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled.

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and non-tax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state.

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) the full name of the person and any other names known to be used by the person;

(2) the social security number or federal tax identification number;

(3) the amount of the non-tax liability; and

(4) a statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) in accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) pay to the federal official the lesser of:

(a) the entire refund or vendor payment; or

(b) the amount certified; and

(4) pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) certify to a federal official the existence of a person's delinquent tax or non-tax liability due the state owed by the person to any state agency;

(2) request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) the full name and address of the person and any other names known to be used by the person;

(2) the social security number or tax identification number;

(3) the amount of the tax or non-tax liability;

(4) a statement that the debt is past due and legally enforceable in the amount certified; and

(5) any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States regular mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 143.902 or section 140.910 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under section 143.902 and section 140.910 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring state agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of the state agency and to the department when the information has been forwarded to the department.

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made. In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending

and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorneys fees and expenses associated with creating the liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. Any person acting as agent of the department of revenue for the collection of sales and use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the actual cost incurred by such person, on behalf of the department of revenue, in the collection of such taxes in accordance with the provisions of Article IV, Section 30(b) of the Missouri Constitution.

7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] 8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or his or her designee may issue an order directing any person to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or his or her designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. 1673.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in

an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or his or her designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or his or her designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county

occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; [or]

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract; or

(6) Beginning, January 1, 2012, the government entity issuing a valid certificate of license to teach in Missouri under section 168.011, shall at least one time each year provide the name and Social Security number of each certificate holder or applicant for certificate of a license to teach in Missouri to the director of revenue. The director of revenue shall at least one time each year check the status of each certificate holder or applicant for certificate of a license to teach in Missouri against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. If such certificate holder or applicant for certificate of a license to teach in Missouri is delinquent on any state taxes, or has failed to file state income tax returns in the last three years, the director shall then send notice to the certificate holder or applicant for certificate of a license to teach in Missouri and the department of elementary and secondary education. In the case of such delinquency or failure to file, the certificate holder's license shall be suspended within ninety days after notice of such delinquency or failure to file, and the applicant for certificate's license shall not be issued unless the director of revenue verifies that such certificate holder or applicant for certificate has remedied such delinquency or failure or has made arrangements to achieve such remedy. The director of revenue shall, within ten business days of notification to the government entity issuing the certificate of license to teach, that the delinquency has been remedied or arrangements have been made to remedy such delinquency, and send written notification to the certificate holder or applicant for certificate that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature

established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

- (1) Any dangerous felony as defined in section 556.061 or murder in the first degree;
 - (2) Any of the following sexual offenses: rape; statutory rape in the first degree; statutory rape in the second degree; sexual assault; forcible sodomy; statutory sodomy in the first degree; statutory sodomy in the second degree; child molestation in the first degree; child molestation in the second degree; deviate sexual assault; sexual misconduct involving a child; sexual misconduct in the first degree; sexual abuse; enticement of a child; or attempting to entice a child;
 - (3) Any of the following offenses against the family and related offenses: incest; abandonment of child in the first degree; abandonment of child in the second degree; endangering the welfare of a child in the first degree; abuse of a child; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children; and
 - (4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree; promoting obscenity in the second degree when the penalty is enhanced to a class D felony; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography in the first degree; possession of child pornography in the second degree; furnishing child pornography to a minor; furnishing pornographic materials to minors; or coercing acceptance of obscene material.
7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.
8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.
9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.
10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.
11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.
12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.
13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.”; and

Further amend said bill, Page 5, Section 633.401, Line 94, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

On motion of Representative Kelly (24), **HCS SB 322, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS SB 322, as amended**, was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schieber
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Cox	Hodges	Hughes	Lant
Loehner	McManus	Peters-Baker	Phillips	Pollock
Ruzicka	Sater	Schatz	Schieffer	Schneider
Swinger	Taylor	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 658 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

SENATE CONCURRENT RESOLUTION NO. 11

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate and the House of Representatives encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCS SB 230**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 48**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 70**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 100**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 100**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

May 5, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 182** entitled:

"AN ACT"

To amend chapter 9, RSMo, by adding thereto one new section relating to the designation of dress in blue for colon cancer awareness day.

On May 5, 2011, I approved said **House Bill No. 182**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 5, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 354** entitled:

"AN ACT"

To repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

On May 5, 2011, I approved said **House Committee Substitute for House Bill No. 354**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 5, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 557** entitled:

"AN ACT"

To repeal sections 630.053 and 630.095, RSMo, and to enact in lieu thereof two new sections relating to the mental health earnings fund.

On May 5, 2011, I approved said **House Committee Substitute for House Bill No. 557**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 5, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 749** entitled:

"AN ACT"

To amend chapters 9 and 10, RSMo, by adding thereto two new sections relating to child abuse prevention.

On May 5, 2011, I approved said **House Bill No. 749**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 5, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 795** entitled:

"AN ACT"

To amend chapter 9, RSMo, by adding thereto one new section relating to the designation of school read-in day.

On May 5, 2011, I approved said **House Bill No. 795**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 2:00 p.m., Monday, May 9, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Monday, May 9, 2011, 12:00 PM House Hearing Room 3.
Legislative assistants
Member expenses

CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.
Executive session will be held: CCS SCS HCS HB 2, CCS SCS HCS HB 3,
CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7,
CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11,
CCS SCS HCS HB 12, CCS SCS HCS HB 13
Executive session may be held on any matter referred to the committee.
CANCELLED

CORRECTIONS

Tuesday, May 10, 2011, 12:00 PM House Hearing Room 3.
Informational luncheon meeting at 12:00 noon

FISCAL REVIEW

Friday, May 6, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

CANCELLED

FISCAL REVIEW

Monday, May 9, 2011, 12:00 PM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

CORRECTED

FISCAL REVIEW

Tuesday, May 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Wednesday, May 11, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

HEALTH CARE POLICY

Monday, May 9, 2011, 12:30 PM House Hearing Room 5.

Public hearing will be held: SCR 12

Executive session will be held: HB 821

Executive session may be held on any matter referred to the committee.

CORRECTED

JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, May 9, 2011, 12:30 PM South Gallery.

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-EIGHTH DAY, MONDAY, MAY 9, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HB 138 - Thomson
- 4 HCS HB 732 - Brandom
- 5 HCS HBs 504, 505 & 874 - Silvey
- 6 HB 658, (Fiscal Review 5-5-11) - Schatz
- 7 HCS HB 707 - Brown (50)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

SENATE BILLS FOR THIRD READING

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SCS SB 29 - Jones (117)
- 3 HCS SB 59 - Diehl
- 4 SB 71 - Largent
- 5 HCS#2 SB 97 - Fitzwater
- 6 HCS SS SB 118 - Sater
- 7 HCS SS SB 202 - Schoeller
- 8 SB 237 - Barnes
- 9 HCS SB 243, (Fiscal Review 5-3-11), E.C. - Dieckhaus
- 10 HCS SB 250 - Schad
- 11 HCS SCS SB 270 - Dugger
- 12 HCS SB 284, E.C. - Sater
- 13 SCS SB 323, E.C. - Allen
- 14 SB 38 - Carter
- 15 HCS SCS SB 60 - Cox
- 16 SS SCS SB 65 - Jones (89)
- 17 HCS SB 90 - Burlison
- 18 HCS SS SCS SB 132, E.C. - Richardson
- 19 HCS#2 SCS SB 162 - Guernsey
- 20 SS SB 238 - Hinson
- 21 HCS SB 325, E.C. - Smith (150)
- 22 HCS SS SCS SB 351 - Barnes
- 23 HCS SCS SB 356, E.C. - Loehner
- 24 HCS SS SB 360, E.C. - Wyatt
- 25 SS SCS SB 70 - Franz

- 26 HCS#2 SCS SB 117, E.C. - Flanigan
- 27 HCS SB 180 - Torpey
- 28 HCS SS SCS SB 254 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 186 - Entlicher
- 8 SCS HB 149 - Day
- 9 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 10 SCS HB 256 - Cox
- 11 SCS HCS HB 214 - Zerr
- 12 SS SCS HB 137, as amended, E.C. - Thomson
- 13 SCS HCS HB 641 - Franz
- 14 HCS HB 197, SCA 1 - Jones (63)
- 15 HB 340, SA 1, E.C. - Klippenstein
- 16 SCS HCS HB 250 - Cox
- 17 SS HCS HB 338 - Pollock
- 18 SCS HCS HB 578 - Thomson
- 19 SCS HB 737 - Redmon
- 20 SS SCS HB 282, as amended - Franz

BILLS CARRYING REQUEST MESSAGES

SCS HB 101, as amended (request Senate recede/grant conference/exceed differences) - Loehner

BILLS IN CONFERENCE

- 1 HCS SS#2 SCS SB 8, as amended - Fisher
- 2 HCS SB 173, as amended - Cierpiot
- 3 HCS SB 282, as amended - Dugger
- 4 HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 SCS HB 142, as amended - Gatschenberger
- 6 HCS SB 220, as amended - Diehl

VETOED HOUSE BILLS

SS SCS HB 209 - Guernsey

SENATE CONCURRENT RESOLUTIONS

SCR 7, (3-17-11, Page 700) - Jones (89)

HOUSE RESOLUTIONS

HR 1826, (4-27-11, Pages 1649-1650) - Long

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 9, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

Let us pray.

The wonder of living is held within the beauty of silence, the glory of sunlight, the sweetness of fresh Spring air, the quiet strength of earth, and the love that lies at the very root of all things. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sam Ward, Lydia Foss, Kelsi Bernskoetter, Nick Bernskoetter, Kylie Bernskoetter, Landon Fraker and Logan Fraker.

The Journal of the sixty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3212 through House Resolution No. 3292

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 658** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 243** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SB 59, relating to judicial procedures, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 59, Page 4, Section 404.710, Lines 91-92, by deleting from said lines the words “, **including, but not limited to exercising and giving consent to a do-not-resuscitate order on behalf on the principal**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Diehl offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 59, Page 3, Section 404.710, Lines 65-69, by deleting all of said lines and inserting in lieu thereof the following:

“(1) To execute, amend or revoke any trust agreement;”; and

Further amend said bill and page and section, Line 85, by deleting all of said line and inserting in lieu thereof the following:

“(8) To make [a] **an anatomical** gift of, or [decline to make a] **prohibit [a] an anatomical** gift of, **all**”; and

Further amend said bill and section, Page 4, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

“procedure to the extent authorized by sections 404.800 to 404.865;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Cox offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 59, Page 18, Section 475.115, Lines 9 and 10, by deleting the phrase “**and the ward does not file an answer opposing the petition for transfer,**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 3** was adopted.

Representative Richardson offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line the following:

“[490.660. Sections 490.660 to 490.690 may be cited as “The Uniform Business Records as Evidence Law”.]

[490.670. The term "business" shall include every kind of business, profession, occupation, calling or operation of institutions, whether carried on for profit or not.]

[490.680. A record of an act, condition or event, shall, insofar as relevant, be competent evidence if the custodian or other qualified witness testifies to its identity and the mode of its preparation, and if it was made in the regular course of business, at or near the time of the act, condition or event, and if, in the opinion of the court, the sources of information, method and time of preparation were such as to justify its admission.]

[490.690. Sections 490.660 to 490.690 shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.]

[490.692. 1. Any records or copies of records reproduced in the ordinary course of business by any photographic, photostatic, microfilm, microcard, miniature photographic, optical disk imaging, or other process which accurately reproduces or forms a durable medium for so reproducing the original that would be admissible under sections 490.660 to 490.690 shall be admissible as a business record, subject to other substantive or procedural objections, in any court in this state upon the affidavit of the person who would otherwise provide the prerequisites of sections 490.660 to 490.690, that the records attached to the affidavit were kept as required by section 490.680.

2. No party shall be permitted to offer such business records into evidence pursuant to this section unless all other parties to the action have been served with copies of such records and such affidavit at least seven days prior to the day upon which trial of the cause commences.

3. The affidavit permitted by this section may be in form and content substantially as follows: THE STATE OF..... COUNTY OF..... AFFIDAVIT

Before me, the undersigned authority, personally appeared, who, being by me duly sworn, deposed as follows:

My name is, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of Attached hereto are pages of records from These pages of records are kept by in the regular course of business, and it was the regular course of business of for an employee or representative of with knowledge of the act, event, condition, opinion, or diagnosis recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act, event, condition, opinion or diagnosis. The records attached hereto are the original or exact duplicates of the original.

.....

Affiant

In witness whereof I have hereunto subscribed my name and affixed my official seal this day of, 20.....

..... (Signed)

(Seal)]

490.660. Sections 490.660 to 490.699 may be cited as "The Records of Regularly Conducted Activity as Evidence Law."

490.670. The term "business" includes business, institution, association, profession, occupation and calling of every kind, whether or not conducted for profit.

490.680. The following is not excluded by any hearsay rule, even though the declarant is available as a witness: A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record or data compilation.

490.690. Sections 490.660 to 490.699 shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states with such laws and/or rules of evidence regarding the admissibility of third party business records.

490.692. Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the original or a duplicate of a record of regularly conducted activity if accompanied by a written certification of its custodian or other qualified person that the record

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of these matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

The word “certification” as used in this subsection means with respect to a domestic record, a written declaration under oath subject to the penalty of perjury and, with respect to a record maintained or located in a foreign country, or written declaration signed in a country which, if falsely made, would subject the maker to criminal penalty under the laws of the country. A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and certification available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 4** was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson

Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 011

Bernskoetter	Brown 50	Dieckhaus	Franz	Funderburk
Hubbard	Hughes	Kander	Phillips	Schupp
Wells				

VACANCIES: 004

Speaker Pro Tem Schoeller assumed the Chair.

Representative Nance offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line, the following:

“482.305. When sitting as a small claims court, the judge shall have original jurisdiction of all civil cases, whether tort or contract, where the amount in controversy does not exceed [three] **five** thousand dollars, exclusive of interest or costs, or as provided in this chapter.

482.315. 1. If the amount in controversy in an action exceeds [three] **five** thousand dollars, a plaintiff may file and prosecute a small claims action for recovery of money, but such plaintiff waives any claim for any sum in excess of [three] **five** thousand dollars in that or in any subsequent proceeding involving the same parties and issues.

2. In an action transferred under section 482.325, the plaintiff or defendant may amend the claim or counterclaim to a dollar amount not to exceed the jurisdictional limit of the division of the circuit court to which the action was transferred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 5** was adopted.

Representative May offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line the following:

“568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide, without good cause, adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide, without good cause, adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) “**Arrearage**”, includes any reduction or abatement of a support obligation for the period of time from the filing of a modification until such modification is awarded if a reduction or abatement of the support obligation is applied to such time period. Arrearage also includes any amount waived by the custodial parent under an order of support issued by a court of competent jurisdiction or any authorized administrative agency;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his **or her** inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivisions (2) and (4) of subsection 2 and subsection 3 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of [twelve] **eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony. **In the event that the revisor of statutes is notified by the director of economic development that the Missouri unemployment rate has remained at six percent or lower for six consecutive months, the limit on the aggregate of eighteen monthly payments shall become twelve monthly payments effective on the July first immediately following such notification.**

6. (1) If at any time a defendant **who is** convicted of criminal nonsupport **or who pleads guilty or nolo contendere to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court or administrative ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **If the defendant satisfies all current child support obligations as well as all periodic payments toward satisfaction of arrears for an additional twenty-four consecutive months after completion of probation or parole, any conviction of the defendant under this section may be expunged from the defendant's record.**

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **child support enforcement service of the family support** division [of child support enforcement] shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Amendment No. 6** was adopted.

Representative Cauthorn offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 59, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Molendorp offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1
to
House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 59, Page 1, Line 26, by inserting after all of said line the following:

‘Further amend said bill, Section A, Page 1, Line 7, by inserting after all of said section and line the following:

“34.376. 1. Sections 34.376 to 34.380 may be known as the "Transparency in Private Attorney Contracts Act".

2. As used in sections 34.376 to 34.380, the following terms shall mean:

- (1) "Government attorney", an attorney employed by the state as an assistant attorney general;
- (2) "Private attorney", any private attorney or law firm;
- (3) "State", the state of Missouri, in any action instituted by the attorney general pursuant to section

27.060.

34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:

(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;

(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;

(3) The geographic area where the attorney services are to be provided; and

(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.

2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.

3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.

4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:

(1) The government attorneys shall retain complete control over the course and conduct of the case;

(2) A government attorney with supervisory authority shall oversee the litigation;

(3) The government attorneys shall retain veto power over any decisions made by outside counsel;

(4) A government attorney with supervisory authority for the case shall attend all settlement conferences;

and

(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.

5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.

6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Cauthorn, **House Amendment No. 7, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 59, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 59, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGhee	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 044

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Funderburk	Hubbard	Hughes	Kander
McNary	Phillips	Schupp	Wells	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 732, relating to professional registration, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 732** was read the third time and passed by the following vote:

AYES: 130

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 020

Anders	Atkins	Burlison	Colona	Conway 14
Curtman	Franklin	Guernsey	Haefner	Jones 63
Koenig	Leach	Marshall	May	McGeoghegan
Pierson	Spreng	Still	Walton Gray	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 009

Berry	Brown 50	Funderburk	Hubbard	Hughes
Kander	Phillips	Schupp	Wells	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HB 658, relating to the Meth Lab Elimination Act, was taken up by Representative Schatz.

Representative Keeney assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Parkinson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

2068 *Journal of the House*

ABSENT WITH LEAVE: 009

Funderburk	Holsman	Hughes	Kander	McGhee
Nolte	Phillips	Schupp	Wells	

VACANCIES: 004

On motion of Representative Schatz, **HB 658** was read the third time and passed by the following vote:

AYES: 086

Allen	Atkins	Aull	Berry	Black
Brandom	Brown 50	Brown 85	Carlson	Carter
Casey	Cauthorn	Conway 14	Cookson	Cross
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Fuhr	Gosen	Hampton	Higdon
Hinson	Hodges	Houghton	Hubbard	Kelley 126
Kirkton	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Neth	Newman	Oxford	Pace	Pierson
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schatz	Schieffer	Schneider	Shumake
Smith 71	Smith 150	Spreng	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 064

Anders	Asbury	Bahr	Barnes	Bernskoetter
Brattin	Brown 116	Burlison	Cierpiot	Colona
Conway 27	Cox	Crawford	Curtman	Davis
Day	Dugger	Flanigan	Franz	Frederick
Gatschenberger	Guernsey	Haefner	Harris	Holsman
Hoskins	Hough	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Koenig
Kratky	Lampe	Leara	Long	Marshall
McDonald	Meadows	Molendorp	Nance	Nasheed
Nichols	Parkinson	Pollock	Quinn	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schoeller
Shively	Silvey	Solon	Still	Talboy
Taylor	Webber	White	Wieland	

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Funderburk	Grisamore	Hughes	Kander	Nolte
Phillips	Schupp	Wells		

VACANCIES: 004

Representative Keeney declared the bill passed.

HCS HBs 504, 505 & 874, relating to domestic violence, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HBs 504, 505 & 874** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Conway 14	Dieckhaus	Funderburk	Hughes	Kander
Phillips	Schupp	Taylor		

VACANCIES: 004

Representative Keeney declared the bill passed.

HCS HB 707, relating to a land bank agency, was taken up by Representative Brown (50).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Funderburk	Guernsey	Hubbard	Hughes
Kander	McGhee	Nolte	Phillips	Schupp
Spreng	Webb			

VACANCIES: 004

On motion of Representative Brown (50), **HCS HB 707** was read the third time and passed by the following vote:

AYES: 113

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	Nance
Nasheed	Neth	Oxford	Pace	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Silvey
Smith 71	Smith 150	Spreng	Still	Stream
Swearingen	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 034

Atkins	Aull	Cauthorn	Colona	Curtman
Ellinger	Fallert	Guernsey	Harris	Hinson
Hodges	Hummel	Kirkton	Koenig	Kratky
Lampe	Leara	Marshall	McGeoghegan	McNeil
Meadows	Montecillo	Newman	Nichols	Pierson
Quinn	Schieber	Schieffer	Shively	Sifton
Solon	Swinger	Taylor	Webber	

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 011

Carter	Funderburk	Hubbard	Hughes	Kander
Nolte	Phillips	Schad	Schupp	Talboy
Webb				

VACANCIES: 004

Representative Keeney declared the bill passed.

HB 138, relating to the School Construction Act, was taken up by Representative Thomson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Dieckhaus	Diehl	Dugger	Funderburk
Hughes	Kander	Nolte	Phillips	Pollock
Schieber	Schupp	Solon		

VACANCIES: 004

On motion of Representative Thomson, **HB 138** was read the third time and passed by the following vote:

AYES: 085

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lauer	Leach	Lichtenegger
Long	Marshall	McGhee	McNary	Nance
Neth	Nolte	Parkinson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Stream	Thomson
Torpey	Wells	White	Wyatt	Mr Speaker

NOES: 066

Anders	Atkins	Berry	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Denison	Ellinger	Fallert	Gatschenberger	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Korman	Kratky	Lampe
Lasater	Leara	Loehner	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schneider	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Wallingford	Walton Gray
Webb	Webber	Weter	Wieland	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Dieckhaus	Funderburk	Hughes	Kander
Phillips	Schupp	Solon		

VACANCIES: 004

Representative Keeney declared the bill passed.

Speaker Tilley resumed the Chair.

THIRD READING OF SENATE BILL

SB 71, relating to the Missouri Real Estate Appraisers Commission, was taken up by Representative Largent.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 71, Section A, Page 1, Line 2, by inserting the following after all of said line:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The employment of an executive director or chief executive officer by the commission shall be for a term of three years and subject to reappointment for additional terms; each term shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51, of the Missouri Constitution. The term of the executive director or chief executive officer serving in such capacity on the effective date of this act shall expire on December 31, 2011, and such person may be reappointed under the provisions of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND Senate Bill No. 71, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 215.020 and 339.1115, RSMo, and to enact in lieu thereof two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 215.020 and 339.1115, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 215.020 and 339.1115, to read as follows:

215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. **The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

6. **The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to Senate Bill No. 71, Page 2, Section 6, Line 29, by adding the following:

"The operating budget of the M.H.D.C. shall be subject to annual appropriation".

On motion of Representative Kelly (24), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Diehl, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Nichols offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 71, Page 2, Section 339.1115, Line 22, by inserting after all of said line the following:

"523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser**, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Nichols, **House Amendment No. 2** was adopted.

Representative Scharnhorst moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton

Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pierson	Quinn	Rizzo
Schieffer	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Day	Dieckhaus	Holsman	Hughes
Kander	Loehner	Pace	Phillips	Schneider
Schupp	Spreng			

VACANCIES: 004

On motion of Representative Largent, **SB 71, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty

2078 *Journal of the House*

McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

McCann Beatty

ABSENT WITH LEAVE: 013

Colona	Day	Dieckhaus	Entlicher	Holsman
Hughes	Kander	Molendorp	Pace	Phillips
Schneider	Schupp	Sprenge		

VACANCIES: 004

Speaker Tilley declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 101, as amended**, and grants the House a conference thereon and that the conferees be allowed to exceed the differences on sections 311.088 and 311.486.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SJR 2** and has taken up and passed **HCS#2 SJR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 135, as amended**: Senators Schaefer, Lager, Munzlinger, Justus and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 145, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 220, as amended**: Senators Wasson, Richard, Parson, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 282, as amended**: Senators Engler, Wasson, Richard, Justus and Wright-Jones.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 101: Representatives Loehner, Fitzwater, Johnson, Quinn and Talboy

BILL CARRYING REQUEST MESSAGE

HCS SB 145, as amended, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House refuse to recede from its position on **HCS SB 145, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS#2 SB 97, relating to conveyances of state properties, was taken up by Representative Fitzwater.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Bill No. 97, Page 3, Section 3, Line 10, by inserting after all of said section and line, the following:

"Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in Callaway County to the City of Fulton. The property to be conveyed is more particularly described as follows:

Part of Section 16 in Township 47 North, Range 9 West, in the City of Fulton, Callaway County, Missouri, more particularly described as follows:

TRACT 1: Commencing at the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 16; thence S1°34'55"W, along the Quarter-Quarter Section Line, 1553.12 feet to the southerly right of way of Missouri State Route "O", as described in Book 154, Page 119, Callaway County Recorder's Office; thence S89°01'33"E, along the southerly right of way of said Missouri State Route "O", 525.24 feet; thence on a curve to the left having a radius of 1940.39 feet, an arc distance of 11.95 feet (Ch=S89°12'08"E, 11.95 feet) to the POINT OF BEGINNING for this description; thence continuing along the southerly right of way line of said Missouri State Route "O" the following courses and distances: on a curve to the left having a radius of 1940.39 feet, an arc distance of 388.23 feet (Ch=N84°53'22"E, 387.59 feet);

thence N79°09'27"E, 245.94 feet; thence leaving the said Hwy. right of way S04°40'06"E, 77.57 feet; thence on a curve to the right having a radius of 72.00 feet, an arc distance of 61.43 feet (Ch=S19°46'31"W, 59.59 feet); thence on a curve to the left having a radius of 280 feet, an arc distance of 148.34 feet (Ch=S29°02'28"W, 146.62 feet); thence S13°51'49"W, 453.89 feet; thence on a curve to the left having a radius of 270 feet, an arc distance of 212.47 feet (Ch=S08°40'47"E, 207.03 feet); thence S20°19'55"W, 261.02 feet; thence N87°23'57"W, 418.88 feet; thence N02°23'59"E, 1052.77 feet to the point of beginning.

Containing 12.66

TRACT 2: Being a 60 feet wide public right of way, described as follows:

Commencing at the Northeast corner of the above described tract; thence continuing N79°09'27"E, 47.86 feet; thence on a curve to the right having a radius of 686.52 feet, an arc distance of 12.48 feet (Ch=N79°40'39"E, 12.48 feet); thence leaving the said Hwy. right of way S04°40'06"E, 83.94 feet; thence on a curve to the right having a radius of 132.00 feet, an arc distance of 112.63 feet (Ch=S19°41'06"W, 108.87 feet); thence on a curve to the left having a radius of 220.00 feet, an arc distance of 116.56 feet (Ch=S29°05'42"W, 115.60 feet); thence S13°51'49"E, 435.89 feet; thence on a curve to the left having a radius of 210.00 feet, an arc distance of 111.64 feet (Ch=S01°21'56"E, 110.33 feet); thence S20°19'55"W, 85.30 feet to a point; thence on a curve to the right having a radius of 270.00 feet, an arc distance of 212.47 feet (Ch=N08°40'47"W, 207.03 feet); thence N13°51'49"E, 453.89 feet; thence on a curve to the right having a radius of 280.00 feet, an arc distance of 148.34 feet (Ch=N29°02'28"E, 146.62 feet); thence on a curve to the left having a radius of 72.00 feet, an arc distance of 61.43 feet (Ch=N19°46'31"E, 59.59 feet); thence N04°40'06"W, 77.57 feet to the point of beginning.

Containing 1.26

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1** was adopted.

On motion of Representative Fitzwater, **HCS#2 SB 97, as amended**, was adopted.

On motion of Representative Fitzwater, **HCS#2 SB 97, as amended**, was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson

Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 007

Black	Brattin	Kirkton	Marshall	Oxford
Still	Webber			

PRESENT: 001

Brown 50

ABSENT WITH LEAVE: 010

Day	Gatschenberger	Hughes	Kander	Leara
Nolte	Phillips	Richardson	Scharnhorst	Schupp

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS SS SB 118, relating to sprinkler system requirements, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 118, Page 6, Section 198.074, Line 37, by inserting an opening bracket “[” immediately before the word “If”; and

Further amend said bill, section and page, Line 40, by inserting a closing bracket “]” immediately after the date “2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pierson	Quinn	Rizzo	Schieffer	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 021

Conway 27	Davis	Fallert	Funderburk	Gatschenberger
Hough	Hughes	Kander	May	McCaherty
Nasheed	Nolte	Pace	Phillips	Pollock
Scharnhorst	Schneider	Schupp	Shively	Shumake
Wright				

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Sater, **HCS SS SB 118, as amended**, was adopted.

On motion of Representative Sater, **HCS SS SB 118, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 001

Ellinger

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Gatschenberger	Hughes	Kander	Nolte
Phillips	Schad	Schneider	Schupp	Mr Speaker

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HCS SB 325, relating to professional registration, was taken up by Representative Smith (150).

HCS SB 325 was laid over.

HCS SCS SB 29, relating to professional registration, was taken up by Representative Jones (117).

Representative Schad offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Diehl offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 2, Section 197.705, Line 41, by inserting after all of said section and line the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.

6. The employment of the executive director including the executive director serving in such capacity on the effective date of this act shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of Article IV, Section 51 of the Missouri Constitution; and shall be for a term of 3 years subject to the reappointment for additional terms; each such additional term shall also be subject to the advice and consent of the senate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Bandom offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Pages 5 and 6, Section 324.043, Lines 1 to 37, by deleting all of said lines and inserting in lieu thereof the following:

"324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated

unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

- (1) A written complaint;
- (2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;
- (3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;
- (4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency's legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

- (1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the state of Missouri or residing outside the state of Missouri and not practicing in Missouri;
 - (2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;
 - (3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency;
- or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment."; and

Further amend said bill, Page 6, Section 324.045, Lines 1 to 17, by deleting all of said lines and inserting in lieu thereof the following:

"324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.

2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and

Further amend said bill, Pages 7 and 8, Section 334.001, Lines 1 to 36, by deleting all of said lines and inserting in lieu thereof the following:

"334.001. 1. Notwithstanding any other provision of law to the contrary, the following information is an open record and shall be released upon request of any person and may be published on the board's website:

- (1) The name of a licensee or applicant;**
- (2) The licensee's business address;**
- (3) Registration type;**

- (4) Currency of the license, certificate, or registration;
 - (5) Professional schools attended;
 - (6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;
 - (7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;
 - (8) Limitations on practice placed by a court of competent jurisdiction;
 - (9) Any final discipline by the board, including the content of the settlement agreement or order issued;
- and
- (10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.
2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.
3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.
4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further a board investigation or to facilitate settlement negotiations with the board, in the course of voluntary exchange of information with another state's licensing authority, pursuant to a court order, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.
5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.
6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person."; and

Further amend said bill, Pages 8 and 9, Section 334.040, Lines 1 to 52, by deleting all of said lines and inserting in lieu thereof the following:

"334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body **or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.** The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia]. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

- (1) The American Specialty Board's certifying examination in the physician's field of specialization;
- (2) Part II of the FLEX; or
- (3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

4. If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training."; and

Further amend said bill, Page 10, Section 334.070, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location]."; and

Further amend said bill, Page 10, Section 334.090, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board. Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter."; and

Further amend said bill, Pages 10 to 12, Section 334.099, Lines 1 to 58, by deleting all of said lines and inserting in lieu thereof the following:

"334.099. 1. The board may initiate a contested hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:

(1) The board shall serve notice pursuant to section 536.067 of the contested hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and

safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;

(2) For purposes of this section and prior to any contested hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section;

(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;

(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;

(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;

(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;

(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a contested hearing to determine if by clear and convincing evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or excessive use or abuse of controlled substances, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.

4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.

5. The board shall promulgate rules and regulations to carry out the provisions of this section.

6. For purposes of this section, "examination" means a skills, multidisciplinary, or substance abuse evaluation."; and

Further amend said bill, Pages 12 to 19, Section 334.100, Lines 1 to 268, by deleting all of said lines and inserting in lieu thereof the following:

"334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid**

physician-patient relationship pursuant to section 334.108, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] (m) Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

[(n)] (o) Failure to timely pay license renewal fees specified in this chapter;

[(o)] (p) Violating a probation agreement, **order, or other settlement agreement** with this board or any other licensing agency;

[(p)] (q) Failing to inform the board of the physician's current residence and business address;

[(q)] (r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

(s) **Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) Knowingly making a false statement, orally or in writing to the board;

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

[(16)] (17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

[(17)] (18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

[(18)] (19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

[(19)] (20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

[(20)] (21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

[(21)] (22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

[(22)] (23) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

[(23)] (24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;

(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;

(26) Revocation, suspension, limitation, **probation**, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, **or voluntary termination of a controlled substance authority while under investigation;**

[(24)] (27) For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center[;

(25) Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so

selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licensee graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section].

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient."; and

Further amend said bill, Pages 19 to 24, Section 334.102, Lines 1 to 158, by deleting all of said lines and inserting in lieu thereof the following:

"334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

- (1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and
- (2) A licensee is practicing, attempting or intending to practice in Missouri; and
- (3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and
- (4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

- (a) Shall be based on the sworn testimony or affidavits presented to the board;
- (b) May be issued without notice and hearing to the licensee;
- (c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may apply to the administrative hearing commission for an emergency suspension or restriction of a licensee for the following causes:**

(1) **Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented;**

(2) **Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law;**

(3) **Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record keeping violations;**

(4) **Use of a controlled substance without a valid prescription;**

(5) **The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction;**

(6) **Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program;**

(7) **A report from a board approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or**

(8) **Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.**

2. **The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.**

3. **Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 1 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.**

4. **The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance, but shall in any event, hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.**

(1) **If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.**

(2) **If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.**

6. **Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.**

7. **If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.**

8. (1) The board may initiate a hearing before the board, for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.

9. A final decision of the administrative hearing commission or the board shall be subject to judicial review pursuant to chapter 536."; and

Further amend said bill, Page 24, Section 334.103, Lines 1 to 18, by deleting all of said lines and inserting in lieu thereof the following:

"334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri."; and

Further amend said bill, Pages 24 and 25, Section 334.108, Lines 1 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:

(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;

(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;

(3) If appropriate, following up with the patient to assess the therapeutic outcome;

(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and

(5) Including the electronic prescription information as part of the patient's medical record.

2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:

(1) A hospital as defined in section 197.020;

(2) A hospice program as defined in section 197.250;

(3) Accordance with a collaborative practice agreement as defined in section 334.104;

(4) Conjunction with a physician assistant licensed pursuant to section 334.738;

(5) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or

(6) On-call or cross-coverage situations."; and

Further amend said bill, Pages 25 to 27, Section 334.715, Lines 1 to 63, by deleting all of said lines and inserting in lieu thereof the following:

"334.715. 1. The board may refuse to **issue or renew any** license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] **required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100.** The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:

(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; or

(3) **Any cause listed in section 334.100.**

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or

(2) Suspend the person's license, certificate, or permit for a period not to exceed three years; or

(3) Administer a public or private reprimand; or

(4) Deny the person's application for a license; or

(5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or

(6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.

4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.

5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct."; and

Further amend said bill, Pages 33 and 34, Section 536.063, Lines 1 to 43, by deleting all of said lines and inserting in lieu thereof the following:

"536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency's own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and

Further amend said bill, Pages 34 and 35, Section 536.067, Lines 1 to 54, by deleting all of said lines and inserting in lieu thereof the following:

"536.067. In any contested case:

(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of

the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

(a) The caption and number of the case;

(b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and

Further amend said bill, Pages 35 to 38, Section 536.070, Lines 1 to 93, by deleting all of said lines and inserting in lieu thereof the following:

"536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of

which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded[.];

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term "business" shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision."; and

Further amend said bill, Pages 40 and 41, Section 621.045, Lines 1 to 72, by deleting all of said lines and inserting in lieu thereof the following:

"621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy

Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

Board of Barber Examiners

Board of Cosmetology

Board of Chiropody and Podiatry

Board of Chiropractic Examiners

Missouri Dental Board

Board of Embalmers and Funeral Directors

Board of Registration for the Healing Arts

Board of Nursing

Board of Optometry

Board of Pharmacy

Missouri Real Estate Commission

Missouri Veterinary Medical Board

Supervisor of Liquor Control

Department of Health and Senior Services

Department of Insurance, Financial Institutions and Professional Registration

Department of Mental Health

Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and

Further amend said bill, Pages 42 and 43, Section 621.100, Lines 1 to 42, by deleting all of said lines and inserting in lieu thereof the following:

"621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen**, or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section**, notice by publication as described in subsection 3 of section 506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

3. In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his **or her license number; its designated date of expiration; the date of his **or her** original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his **or her** license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint."; and**

Further amend said bill, Page 43, Section 621.110, Lines 1 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with

the commission's findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission's recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee's whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (150) offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 29, Section 334.108, Line 1, by inserting immediately after said line the following:

“(3) Home health services provided by a home health agency as defined in section 197.400;”; and

Further amend said amendment by renumbering said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Brandom, **House Amendment No. 3, as amended**, was adopted.

Representative Franz offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the

examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, House Amendment No. 4 was adopted.

Representative Wallingford offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 27, Section 334.715, Line 63, by inserting after all of said line the following:

"335.036. 1. The board shall:

- (1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;
- (2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;
- (3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;
- (4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

- (5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;
- (6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;
- (7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;
- (8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;
- (9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;
- (10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. **The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.**

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

335.200. As used in sections 335.200 to [335.209] **335.203**, the following terms mean:

- (1) "Board", the [Missouri coordinating board for higher education] **state board of nursing**;
- (2) "Department", the **Missouri department of higher education**;
- (3) "Eligible [nursing program] institution of higher education", a **Missouri institution of higher education accredited by the higher learning commission of the north central association which offers a nursing education program [accredited under this chapter]**;
- [(3) "Fund", the nurse training incentive fund, established in section 335.203;]
- (4) "[Incentive] Grant", a grant awarded to [a nurse education program] **an eligible institution of higher education** under the guidelines set forth in sections **335.200 to 335.203** [to 335.209];
- (5) "Nontraditional student", a person admitted to an eligible nursing program that is older than twenty-two years of age at the time he is admitted to the nursing program;
- (6) "Nurse", a person holding a license as a registered nurse, pursuant to this chapter; and
- (7) "Professional nursing education program", a program of education accredited by the state board of nursing, pursuant to this chapter, designed to prepare persons for licensure as registered professional nurses with an enrollment of no less than sixty-five percent of the enrollment approved by the state board of nursing].

335.203. [The "Nurse Training Incentive Fund" is hereby established in the state treasury. The fund shall be administered by the coordinating board for higher education. The board shall base its appropriation request on enrollment, graduation and licensure figures for the previous year. The board may accept funds from private, federal and other sources for the purposes of sections 335.200 to 335.209. All appropriations, private donations, and other funds provided to the board for the implementation of sections 335.200 to 335.209 shall be placed in the nurse training incentive fund. Notwithstanding the provisions of section 33.080 to the contrary, funds in the nurse training incentive fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Grants provided pursuant to section 335.206 shall be made within the amounts appropriated therefor.] **1. There is hereby established the "Nursing Education Incentive Program" within the department of higher education.**

2. Subject to appropriation, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department. Grant award amounts shall not exceed one hundred fifty thousand dollars. No campus shall receive more than one grant per year.

3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.

4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:

- (1) Data generated from licensure renewal data and the department of health and senior services; and
- (2) National nursing statistical data and trends that have identified nursing shortages.

5. The department shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The department shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and

Further amend said bill, Page 43, Section 621.110, Line 22, by inserting after all of said line the following:

"[335.206. 1. The nurse training incentive fund shall, upon appropriation, be used to provide incentive grants to eligible nursing programs which increase enrollment. Grants shall not be awarded to classes begun on or after July 1, 1996.

2. Grants shall be awarded to eligible nursing programs which increase enrollment pursuant to subsection 3 of this section. Eligible programs receiving grants provided under sections 335.200 to 335.209 shall monitor the enrollment of nontraditional students in their program and shall annually report to the board the number of nontraditional students enrolled therein. It shall be the intent of sections 335.200 to 335.209 to encourage the enrollment and graduation of nontraditional students in nursing education programs.

3. Incentive grants shall be awarded to professional nurse education programs, as follows:

(1) A grant of eight thousand dollars for each entering class of ten students by which the program increases its enrollment over the number of entering students admitted in the fall of 1989; and

(2) A grant of four hundred dollars for each student from each entering class cited in subdivision (1) of this section by which the program increases its number of graduates over the number of students graduated in the preceding year; or

(3) Beginning with the first graduating class of the classes which enter and are enrolled after August 28, 1990, a grant of four hundred dollars for each student by which the program increases its number of graduates over the number of graduates of the preceding year, if the program is not otherwise qualified to receive the grant provided pursuant to subdivision (1) of this section.]

[335.209. No rule or portion of a rule promulgated under the authority of sections 335.200 to 335.209 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 5** was adopted.

Representative Lichtenegger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 7, Section 332.425, Line 7, Lines 24 & 25, by striking all of said lines and inserting in lieu thereof the following:

“(7) Submit to the board evidence of successful passage of an examination approved by the board of spoken and written proficiency in the English language.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lichtenegger, **House Amendment No. 6** was adopted.

Representative White offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 2, Section 197.705, Line 9, by deleting the words, **“in a single line”**; and

Further amend said section and page, Line 10, by deleting the words, **“one-half inch”**; and

Further amend said section, page, and line, by inserting before the word, **“bottom”** the words, **“top or”**; and

Further amend said section and page, Line 14, by deleting all of said line and inserting correct punctuation, **“:”** after the word, **“Physician”** on Line 13; and

Further amend said section and page, Line 41, by deleting the word, **“five”** and inserting in lieu thereof the word, **“ten”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references.

On motion of Representative White, **House Amendment No. 7** was adopted.

Representative Frederick offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] **197.162**, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:

(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;

(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;

(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:

(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.080. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital [and] **but shall accept in lieu of an annual inspection reports of hospital inspections from other governmental and recognized accrediting organizations as authorized by this section. Recognizing accrediting organizations shall be those that have deemed status conferred by the Centers for Medicare and**

Medicaid Services (CMS) to take the place of direct CMS oversight and enforcement. The department shall make any other inspections and investigations as it deems necessary for good cause shown; **provided that, the scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a documented threat of immediate jeopardy of safety is observed or identified during the investigation.** The department of health and senior services shall accept reports of hospital inspections from governmental agencies and recognized accrediting organizations [in whole or in part] for licensure purposes if[:

- (1) The inspection is comparable to an inspection performed by the department of health and senior services;
- (2) The hospital meets minimum licensure standards; and
- (3)] The accreditation inspection was conducted within [one year of the date of license renewal] **the term of accreditation authorized by the Centers for Medicare and Medicaid Services in granting deemed status to the recognized accrediting organization.**

The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 8** was adopted.

Representative Jones (117) offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, In the Title, Lines 2 to 6, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 197.705, 302.291, 324.043, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, and to enact in lieu thereof forty-three new sections relating to the licensing of certain professions, with penalty provisions."; and

Further amend said bill, Page 1, Section A, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 197.705, 302.291, 324.043, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 197.705, 302.291, 324.013, 324.043, 324.045, 332.425, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.001, 334.040, 334.070, 334.090, 334.099, 334.100, 334.102, 334.103, 334.108, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 537.033, 621.045, 621.100, and 621.110, to read as follows:"; and

Further amend said bill, Page 7, Section 332.425, Line 25, by inserting after all of said line the following:

"333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is:

- (1) At least eighteen years of age, and possesses a high school diploma, **a general equivalency diploma**, or equivalent thereof, **as determined, at its discretion, by the board; and**

(2) [Either a citizen or a bona fide resident of the state of Missouri or entitled to a license pursuant to section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice funeral directing upon the grant of a license to do so; and

(3)] A person of good moral character.

2. Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is enrolled in [an] **a program** accredited [institution of mortuary science education] **by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board,** shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum [for the accredited institution of mortuary science education]. The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

(1) Is at least eighteen years of age, and possesses a high school diploma, **a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;**

(2) [Is either a citizen or bona fide resident of the state of Missouri or entitled to a license pursuant to section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice embalming upon the grant of a license to do so;

(3)] Is a person of good moral character;

[(4)] (3) Has [graduated from an institute of mortuary science education] **completed a funeral service education program** accredited by the American Board of Funeral Service Education, [or] any successor organization [recognized by the United States Department of Education, for funeral service education], **or other accrediting entity as approved by the board.** If an applicant does not [appear for the final examination before the board] **complete all requirements for licensure** within five years from the date of his or her [graduation from] **completion of** an accredited [institution of mortuary science education] **program,** his or her registration as [a student] **an apprentice** embalmer shall be automatically canceled. **The applicant shall be required to file a new application and pay applicable fees. No previous apprenticeship shall be considered for the new application;**

[(5)] (4) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he or she may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his or her desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board;

[(6)] (5) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty-five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license or an embalmer who holds a current and valid embalmer's license in a state with which the Missouri board has entered into a reciprocity agreement during an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.

4. If the applicant does not [appear for oral examination] **complete the application process** within the five years after his or her [graduation from an accredited institution of mortuary science education] **completion of an approved program,** then he or she must file a new application and no fees paid previously shall apply toward the license fee.

5. Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.

6. Upon establishment of his or her qualifications as specified by this section or section 333.042, the board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer. Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.

7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.

333.042. 1. Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. **Except as otherwise provided in section 41.950**, applicants not entitled to a license pursuant to section 333.051 shall serve an apprenticeship for at least twelve **consecutive** months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours per week to his or her duties as an apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty-four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be canceled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he or she shall make application, pay the current application and examination fee and successfully complete the Missouri law examination. He or she shall be exempt from the twelve-month apprenticeship **required by subsection 1 of this section** and the practical examination before the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or she fulfills the apprenticeship and successfully completes the funeral director practical examination.

3. If an individual is a Missouri licensed embalmer or has [graduated from an institute of mortuary science education] **completed a program** accredited by the American Board of Funeral Service Education [or], any successor organization [recognized by the United States Department of Education for funeral service education], **or other accrediting entity as approved by the board** or has successfully completed a course of study in funeral directing offered by [a college] **an institution** accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve-month apprenticeship required by subsection 1 of this section.

333.051. 1. Any [nonresident] individual holding a valid, unrevoked and unexpired license as a funeral director or embalmer in the state of his **or her** residence may be granted a license to practice funeral directing or embalming in this state on application to the board and on providing the board with such evidence as to his **or her** qualifications as is required by the board. [No license shall be granted to a nonresident applicant except one who resides in a county contiguous and adjacent to the state of Missouri and who is regularly engaged in the practice of funeral directing or embalming, as defined by this chapter, at funeral establishments within this state or in an establishment located in a county contiguous and adjacent to the state of Missouri, unless the law of the state of the applicant's residence authorizes the granting of licenses to practice funeral directing in such state to persons licensed as funeral directors under the law of the state of Missouri.]

2. Any individual holding a valid, unrevoked and unexpired license as an embalmer or funeral director in another state having requirements substantially similar to those existing in this state [who is or intends to become a resident of this state] may apply for a license to practice in this state by filing with the board a certified statement from the examining board of the state or territory in which the applicant holds his **or her** license showing the grade rating upon which [his] **the** license was granted, together with a recommendation, and the board shall grant the applicant a license upon his **or her** successful completion of an examination over Missouri laws as required in section 333.041 or section 333.042 if the board finds that the applicant's qualifications meet the requirements for funeral directors or embalmers in this state at the time the applicant was originally licensed in the other state.

3. A person holding a valid, unrevoked and unexpired license to practice funeral directing or embalming in another state or territory with requirements less than those of this state may, after five consecutive years of active

experience as a licensed funeral director or embalmer in that state, apply for a license to practice in this state after passing a test to prove his **or her** proficiency, including but not limited to a knowledge of the laws and regulations of this state as to funeral directing and embalming.

333.061. 1. No funeral establishment shall be operated in this state unless the owner or operator thereof has a license issued by the board.

2. A license for the operation of a funeral establishment shall be issued by the board, if the board finds:

(1) That the establishment is under the general management and the supervision of a duly licensed funeral director;

(2) That all embalming performed therein is performed by or under the direct supervision of a duly licensed embalmer;

(3) That any place in the funeral establishment where embalming is conducted contains a preparation room with a sanitary floor, walls and ceiling, and adequate sanitary drainage and disposal facilities including running water, and complies with the sanitary standard prescribed by the department of health and senior services for the prevention of the spread of contagious, infectious or communicable diseases;

(4) Each funeral establishment shall have [available in the preparation or embalming room] a register book or log which shall be available at all times [in full view] for the board's inspector and [the name of each body embalmed, place, if other than at the establishment, the date and time that the embalming took place, the name and signature of the embalmer and the embalmer's license number shall be noted in the book] **that shall contain:**

(a) The name of each body that has been in the establishment;

(b) The date the body arrived at the establishment;

(c) If applicable, the place of embalming, if known; and

(d) If the body was embalmed at the establishment, the date and time that the embalming took place, and the name, signature, and license number of the embalmer; and

(5) The establishment complies with all applicable state, county or municipal zoning ordinances and regulations.

3. The board shall grant or deny each application for a license pursuant to this section within thirty days after it is filed. The applicant may request in writing up to two thirty-day extensions of the application, provided the request for an extension is received by the board prior to the expiration of the thirty-day application or extension period.

4. Licenses shall be issued pursuant to this section upon application and the payment of a funeral establishment fee and shall be renewed at the end of the licensing period on the establishment's renewal date.

5. The board may refuse to renew or may suspend or revoke any license issued pursuant to this section if it finds, after hearing, that the funeral establishment does not meet any of the requirements set forth in this section as conditions for the issuance of a license, or for the violation by the owner of the funeral establishment of any of the provisions of section 333.121. No new license shall be issued to the owner of a funeral establishment or to any corporation controlled by such owner for three years after the revocation of the license of the owner or of a corporation controlled by the owner. Before any action is taken pursuant to this subsection the procedure for notice and hearing as prescribed by section 333.121 shall be followed.

333.091. [Each establishment, funeral director or embalmer receiving a license under this chapter shall have recorded in the office of the local registrar of vital statistics of the registration district in which the licensee practices.] All licenses or registrations, or duplicates thereof, issued pursuant to this chapter shall be displayed at each place of business.

333.151. 1. The state board of embalmers and funeral directors shall consist of ten members, including one voting public member appointed by the governor with the advice and consent of the senate. Each member, other than the public member, appointed shall possess either a license to practice embalming or a license to practice funeral directing in this state or both said licenses and shall have been actively engaged in the practice of embalming or funeral directing for a period of five years next before his or her appointment. Each member shall be a United States citizen, a resident of this state for a period of at least one year, a qualified voter of this state and shall be of good moral character. Not more than five members of the board shall be of the same political party. The nonpublic members shall be appointed by the governor, with the advice and consent of the senate[, one from each of the state's congressional districts be of good moral character and submit an audited financial statement of their funeral establishment by an independent auditor for the previous five years. This audited financial statement must include all at-need and preneed business]. **A majority of the members shall constitute a quorum. Members shall be appointed to represent diversity in gender, race, ethnicity, and the various geographic regions of the state.**

2. Each member of the board shall serve for a term of five years. Any vacancy on the board shall be filled by the governor and the person appointed to fill the vacancy shall possess the qualifications required by this chapter and shall serve until the end of the unexpired term of his or her predecessor, if any.

3. The public member shall be at the time of his or her appointment a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

333.171. The board shall hold at least two regular meetings each year for the purpose of administering examinations at times and places fixed by the board. Other meetings shall be held at the times fixed by regulations of the board or on the call of the chairman of the board. Notice of the time and place of each regular or special meeting shall be mailed by the executive secretary to each member of the board at least five days before the date of the meeting. [At all meetings of the board three members constitute a quorum.] The board may adopt and use a common seal."; and

Further amend said bill, Page 34, Section 339.190, Line 43, by inserting after all of said line the following:

"436.405. 1. As used in sections 436.400 to 436.520, unless the context otherwise requires, the following terms shall mean:

(1) "Beneficiary", the individual who is to be the subject of the disposition or who will receive funeral services, facilities, or merchandise described in a preneed contract;

(2) **"Board", the board of embalmers and funeral directors;**

(3) "Guaranteed contract", a preneed contract in which the seller promises, assures, or guarantees to the purchaser that all or any portion of the costs for the disposition, services, facilities, or merchandise identified in a preneed contract will be no greater than the amount designated in the contract upon the preneed beneficiary's death or that such costs will be otherwise limited or restricted;

[(3)] (4) "Insurance-funded preneed contract", a preneed contract which is designated to be funded by payments or proceeds from an insurance policy or [single premium] **a deferred annuity contract that is not classified as a variable annuity and has death benefit proceeds that are never less than the sum of premiums paid;**

[(4)] (5) "Joint account-funded preneed contract", a preneed contract which designates that payments for the preneed contract made by or on behalf of the purchaser will be deposited and maintained in a joint account in the names of the purchaser and seller, as provided in this chapter;

[(5)] (6) "Market value", a fair market value:

(a) As to cash, the amount thereof;

(b) As to a security as of any date, the price for the security as of that date obtained from a generally recognized source, or to the extent no generally recognized source exists, the price to sell the security in an orderly transaction between unrelated market participants at the measurement date; and

(c) As to any other asset, the price to sell the asset in an orderly transaction between unrelated market participants at the measurement date consistent with statements of financial accounting standards;

[(6)] (7) "Nonguaranteed contract", a preneed contract in which the seller does not promise, assure, or guarantee that all or any portion of the costs for the disposition, facilities, service, or merchandise identified in a preneed contract will be limited to the amount designated in the contract upon the preneed beneficiary's death or that such costs will be otherwise limited or restricted;

[(7)] (8) "Preneed contract", any contract or other arrangement which provides for the final disposition in Missouri of a dead human body, funeral or burial services or facilities, or funeral merchandise, where such disposition, services, facilities, or merchandise are not immediately required. Such contracts include, but are not limited to, agreements providing for a membership fee or any other fee for the purpose of furnishing final disposition, funeral or burial services or facilities, or funeral merchandise at a discount or at a future date;

[(8)] (9) "Preneed trust", a trust to receive deposits of, administer, and disburse payments received under preneed contracts, together with income thereon;

[(9)] (10) "Purchaser", the person who is obligated to pay under a preneed contract;

[(10)] (11) "Trustee", the trustee of a preneed trust, including successor trustees;

[(11)] (12) "Trust-funded preneed contract", a preneed contract which provides that payments for the preneed contract shall be deposited and maintained in trust.

2. All terms defined in chapter 333 shall be deemed to have the same meaning when used in sections 436.400 to 436.520.

436.412. Each preneed contract made before August 28, 2009, and all payments and disbursements under such contract shall continue to be governed by this chapter as the chapter existed at the time the contract was made. Any licensee or registrant of the board may be disciplined for violation of any provision of sections 436.005 to 436.071 within the applicable statute of limitations. [In addition, the provisions of section 436.031, as it existed on August 27, 2009, shall continue to govern disbursements to the seller from the trust and payment of trust expenses.] Joint accounts in existence as of August 27, 2009, shall continue to be governed by the provisions of section 436.053, as that section existed on August 27, 2009.

436.445. A trustee of any preneed trust, including trusts established before August 28, 2009, shall not after August 28, 2009, make any decisions to invest any trust fund with:

- (1) The spouse of the trustee;
- (2) The descendants, siblings, parents, or spouses of a seller or an officer, manager, director or employee of a seller, provider, or preneed agent;
- (3) Agents, **other than authorized external investment advisors as authorized by section 436.440**, or attorneys of a trustee, seller, or provider; or
- (4) A corporation or other person or enterprise in which the trustee, seller, or provider owns a controlling interest or has an interest that might affect the trustee's judgment.

436.450. 1. An insurance-funded preneed contract shall comply with sections 436.400 to 436.520 and the specific requirements of this section.

2. A seller, provider, or any preneed agent shall not receive or collect from the purchaser of an insurance-funded preneed contract any amount in excess of what is required to pay the premiums on the insurance policy as assessed or required by the insurer as premium payments for the insurance policy except for any amount required or authorized by this chapter or by rule. A seller shall not receive or collect any administrative or other fee from the purchaser for or in connection with an insurance-funded preneed contract, other than those fees or amounts assessed by the insurer. As of August 29, 2009, no preneed seller, provider, or agent shall use any existing preneed contract as collateral or security pledged for a loan or take preneed funds of any existing preneed contract as a loan for any purpose other than as authorized by this chapter.

3. Payments collected by or on behalf of a seller for an insurance-funded preneed contract shall be promptly remitted to the insurer or the insurer's designee as required by the insurer; provided that payments shall not be retained or held by the seller or preneed agent for more than thirty days from the date of receipt.

4. It is unlawful for a seller, provider, or preneed agent to procure or accept a loan against any insurance contract used to fund a preneed contract.

5. Laws regulating insurance shall not apply to preneed contracts, but shall apply to any insurance or [single premium] annuity sold with a preneed contract; provided, however, the provisions of [this act] **sections 436.400 to 436.520** shall not apply to [single premium] annuities or insurance policies regulated by chapters 374, 375, and 376 used to fund preneed funeral agreements, contracts, or programs.

6. This section shall apply to all preneed contracts including those entered into before August 28, 2009.

7. For any insurance-funded preneed contract sold after August 28, 2009, the following shall apply:

- (1) The purchaser or beneficiary shall be the owner of the insurance policy purchased to fund a preneed contract; and
- (2) An insurance-funded preneed contract shall be valid and enforceable only if the seller or provider is named as the beneficiary or assignee of the life insurance policy funding the contract.

8. If the proceeds of the life insurance policy exceed the actual cost of the goods and services provided pursuant to the nonguaranteed preneed contract, any overage shall be paid to the estate of the beneficiary, or, if the beneficiary received public assistance, to the state of Missouri.

436.455. 1. A joint account-funded preneed contract shall comply with sections 436.400 to 436.520 and the specific requirements of this section.

2. In lieu of a trust-funded or insurance-funded preneed contract, the seller and the purchaser may agree in writing that all funds paid by the purchaser or beneficiary for the preneed contract shall be deposited with a financial

institution chartered and regulated by the federal or state government authorized to do business in Missouri in an account in the joint names and under the joint control of the seller and purchaser, beneficiary or party holding power of attorney over the beneficiary's estate, **or in an account titled in the beneficiary's name and payable on the beneficiary's death to the seller.** There shall be a separate joint account established for each preneed contract sold or arranged under this section. Funds shall only be withdrawn or paid from the account upon the signatures of both the seller and the purchaser or under a pay-on-death designation or as required to pay reasonable expenses of administering the account.

3. All consideration paid by the purchaser under a joint account-funded contract shall be deposited into a joint account as authorized by this section within ten days of receipt of payment by the seller.

4. The financial institution shall hold, invest, and reinvest funds deposited under this section in other accounts offered to depositors by the financial institutions as provided in the written agreement of the purchaser and the seller, provided the financial institution shall not invest or reinvest any funds deposited under this section in term life insurance or any investment that does not reasonably have the potential to gain income or increase in value.

5. Income generated by preneed funds deposited under this section shall be used to pay the reasonable expenses of administering the account as charged by the financial institution and the balance of the income shall be distributed or reinvested upon fulfillment of the contract, cancellation or transfer pursuant to the provisions of this chapter.

6. Within fifteen days after a provider [and a witness certify to the financial institution in writing] **delivers a copy of a certificate of performance to the seller, signed by the provider and the person authorized to make arrangements on behalf of the beneficiary, certifying** that the provider has furnished the final disposition, funeral, and burial services and facilities, and merchandise as required by the preneed contract, or has provided alternative funeral benefits for the beneficiary under special arrangements made with the purchaser, the [financial institution shall distribute the deposited funds to the seller if the certification has been approved by the purchaser] **seller shall take whatever steps are required by the financial institution to secure payment of the funds from the financial institution.** The seller shall pay the provider within ten days of receipt of funds.

7. Any seller, provider, or preneed agent shall not procure or accept a loan against any investment, or asset of, or belonging to a joint account. As of August 28, 2009, it shall be prohibited to use any existing preneed contract as collateral or security pledged for a loan, or take preneed funds of any existing preneed contract as a loan or for any purpose other than as authorized by this chapter.

436.456. At any time before final disposition, or before the funeral or burial services, facilities, or merchandise described in a preneed contract are furnished, the purchaser may cancel the contract, if designated as revocable, without cause. In order to cancel the contract the purchaser shall:

(1) In the case of a joint account-funded preneed contract, deliver written notice of the cancellation to the seller [and the financial institution]. Within fifteen days of receipt of notice of the cancellation, the [financial institution shall distribute all deposited funds to the purchaser] **seller shall take whatever steps may be required by the financial institution to obtain the funds from the financial institution. Upon receipt of the funds from the financial institution, the seller shall distribute the principal to the purchaser.** Interest shall be distributed as provided in the agreement with the seller and purchaser;

(2) In the case of an insurance-funded preneed contract, deliver written notice of the cancellation to the seller. Within fifteen days of receipt of notice of the cancellation, the seller shall notify the purchaser that the cancellation of the contract shall not cancel any life insurance funding the contract and that insurance cancellation is required to be made in writing to the insurer;

(3) In the case of a trust-funded preneed contract, deliver written notice of the cancellation to the seller and trustee. Within fifteen days of receipt of notice of the cancellation, the trustee shall distribute one hundred percent of the trust property including any percentage of the total payments received on the trust-funded contract that have been withdrawn from the account under subsection 4 of section 436.430 but excluding the income, to the purchaser of the contract;

(4) In the case of a guaranteed installment payment contract where the beneficiary dies before all installments have been paid, the purchaser shall pay the seller the amount remaining due under the contract in order to receive the goods and services set out in the contract, otherwise the purchaser or their estate will receive full credit for all payments the purchaser has made towards the cost of the beneficiary's funeral at the provider current prices."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 9** was adopted.

Representative Haefner offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Section 621.110, Page 43, Line 22, by inserting after all of said section and line the following:

“Section 1. 1. Beginning September 1, 2011, there is hereby created The Interim Committee on E-Prescribe Technology established for the purpose of assessing the feasibility of implementing an electronic prescribing system in Missouri. The committee shall evaluate the feasibility of an electronic prescribing system that creates transparency, improves health care-outcomes and increases health-care delivery efficiency, the study committee shall investigate the technology utilized by MO HealthNet Division in their statewide system. The committee shall take into consideration uniformity of technology as well as other potential barriers to e-prescribing in Missouri. The study shall include assessment of the following components of the MO HealthNet Division electronic prescribing, claims and clinical data tools:

- (1) Identification of clinical issues that affect patient care;**
- (2) Investigation of administrative burdens on health care providers using e-systems;**
- (3) Electronic Drug Prior Authorization (PA) and Clinical Edit override request;**
- (4) Electronic request of pre-certification for Radiology services, Durable Medical Equipment (DME), Optical services, and Inpatient services;**
- (5) Identification of approved or denied Drug Prior Authorizations, Clinical Edit overrides, or Medical Pre-certifications previously issued for a participant; and**
- (6) Extent to which the system provides open platform, free of mechanisms to influence prescribing decisions at point of care including but not limited to, advertising, instant messaging, and pop-up messaging.**

2. The Interim Committee on E-Prescribe Technology shall consist of the following members:

- (1) Five members of the Senate, appointed by the President Pro-Tem of the Senate. Three such members shall be of the Majority Party and two shall be of the Minority party;**
- (2) Five members of the House of Representatives, appointed by the Speaker of the House of Representatives. Three such members shall be of the Majority Party and two shall be of the Minority party. The Directors of the MO HealthNet Division and Department of Insurance shall provide technical assistance to the committee.**

3. The Interim Committee on E-Prescribe Technology shall report back to the Senate President Pro Tempore and Speaker of the House their findings with specific recommendations no later than December 31, 2011. The Interim Committee on E-Prescribe Technology shall dissolve upon submission of the report.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty

2116 *Journal of the House*

McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 022

Berry	Cauthorn	Day	Dieckhaus	Gatschenberger
Holsman	Hubbard	Hughes	Kander	Lasater
Leara	McDonald	Meadows	Nasheed	Parkinson
Scharnhorst	Schneider	Schupp	Spreng	Torpey
Wells	Mr Speaker			

VACANCIES: 004

Representative Haefner moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Schad offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 33, Section 339.190, Line 18, by inserting after all of said section and line, the following:

“376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.

2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.

3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less

duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burlison offered **House Substitute Amendment No. 1 for House Amendment No. 11.**

*House Substitute Amendment No. 1
for
House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 33, Section 339.190, Line 18, by inserting after all of said section and line, the following:

"376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.

2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.

3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.

6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.

7. Coverage under this section may be administered by a specialty pharmacy network."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

HCS SCS SB 29, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 59, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 61, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 226, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 322, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

THIRD READING OF SENATE BILL

HCS SCS SB 29, as amended, relating to professional registration, was again taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, In the Title, Line 2, by inserting after the word "sections" the numbers "195.060, 195.080,"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting after the number "334.715," the number "334.747,"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "thirty" and inserting in lieu thereof the word "forty-four"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the numbers "195.060, 195.080,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "334.715," the number "334.747,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "thirty" and inserting in lieu thereof the word "forty-four"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the word "sections" the numbers "195.060, 195.080, 195.450, 195.453, 195.456, 195.459, 195.462, 195.465, 195.468, 195.471, 195.474, 195.477, 195.480,"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after the number "334.715," the number "334.747,"; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after all of said line the following:

"195.060. 1. Except as provided in subsection [3] 4 of this section, a pharmacist, in good faith, may sell and dispense controlled substances to any person only upon a prescription of a practitioner as authorized by statute, provided that the controlled substances listed in Schedule V may be sold without prescription in accordance with regulations of the department of health and senior services. All written prescriptions shall be signed by the person prescribing the same. All prescriptions shall be dated on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full name, address, and the registry number under the federal controlled substances laws of the person prescribing, if he is required by those laws to be so registered. If the prescription is for an animal, it shall state the species of the animal for which the drug is prescribed. The person filling the prescription shall either write the date of filling and his own signature on the prescription or retain the date of filling and the identity of the dispenser as electronic prescription information. The prescription or electronic prescription information shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this law. No prescription for a drug in Schedule I or II shall be filled more than six months after the date prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug in Schedule III or IV shall be filled or refilled more than six months after the date of the original prescription or be refilled more than five times unless renewed by the practitioner.

2. **A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that the prescription was issued according to and in compliance with the applicable laws of that state and the United States.**

3. The legal owner of any stock of controlled substances in a pharmacy, upon discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or pharmacist, but only on an official written order.

[3.] 4. A pharmacist, in good faith, may sell and dispense any Schedule II drug or drugs to any person in emergency situations as defined by rule of the department of health and senior services upon an oral prescription by an authorized practitioner.

[4.] 5. Except where a bona fide physician-patient-pharmacist relationship exists, prescriptions for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user or agent by mail or other common carrier.

195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. [The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply.] The quantity of Schedule II, III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. [The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply.] The supply limitations provided in this subsection shall not apply if:

(1) **The prescription issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state; or**

(2) The prescription is dispensed directly to a member of the United States armed forces serving outside the United States.

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.

195.450. 1. Sections 195.450 to 195.480 shall be known and may be cited as the "Prescription Drug Monitoring Program Act".

2. As used in sections 195.450 to 195.480, the following terms mean:

- (1) "Controlled substance", the same meaning given such term in section 195.010;**
- (2) "Department", the department of health and senior services;**
- (3) "Dispenser", a person located in Missouri who delivers a schedule II, III, IV, or V controlled substance to the ultimate user, but does not include:**
 - (a) A hospital, as defined in section 197.020, that distributes such substances for the purpose of inpatient hospital care or dispenses prescriptions for controlled substances at the time of discharge from an inpatient stay at such facility;**
 - (b) A practitioner or other authorized person who administers such a substance; or**
 - (c) A wholesale distributor of a schedule II, III, IV, or V controlled substance;**
 - (4) "Patient", a person or animal who is the ultimate user of a drug for whom a prescription is issued or for whom a drug is dispensed;**
 - (5) "Schedule II, III, IV, or V controlled substance", a controlled substance that is listed in schedules II, III, IV, or V of the schedules provided under this chapter or the Federal Controlled Substances Act, 21 U.S.C. Section 812.**

195.453. 1. Subject to appropriations, the department of health and senior services shall establish and maintain a program for the monitoring of prescribing and dispensing of all schedule II, III, IV, and V controlled substances by all professionals, except schedule V controlled substance containing any detectable amount of pseudoephedrine, by all professionals licensed to prescribe or dispense such substances in this state. The department may apply for any available grants and accept any gifts, grants, or donations to assist in developing and maintaining the program.

2. Each dispenser shall submit to the department by electronic means information regarding each dispensation of a drug included in subsection 1 of this section. The information submitted for each shall include, but not be limited to:

- (1) The dispenser identification number;**
- (2) The date of the dispensation;**
- (3) If there is a prescription:**
 - (a) The prescription number;**
 - (b) Whether the prescription is new or a refill;**
 - (c) The prescriber identification number;**
 - (d) The date the prescription is issued by the prescriber;**
 - (e) The person who receives the prescription from the dispenser, if other than the patient;**
 - (f) The source of payment for the prescription;**
- (4) The NDC code for the drug dispensed;**
- (5) The number of days' supply of the drug;**
- (6) The quantity dispensed;**
- (7) The patient identification number;**
- (8) The patient's name, address, and date of birth.**

3. Each dispenser shall submit the information in accordance with transmission methods and frequency established by the department; except that, each dispenser shall report at least every seven days between the first and fifteenth of the month following the month of the dispensation.

4. The department may issue a waiver to a dispenser that is unable to submit dispensation information by electronic means. Such waiver may permit the dispenser to submit dispensation information by paper form or other means, provided all information required in subsection 2 of this section is submitted in such alternative format.

195.456. 1. Dispensation information submitted to the department shall be confidential and not subject to public disclosure under chapter 610 except as provided in subsections 3 to 5 of this section.

2. The department shall maintain procedures to ensure that the privacy and confidentiality of patients and personnel information collected, recorded, transmitted, and maintained is not disclosed to persons except as provided in subsections 3 to 5 of this section.

3. The department shall review the dispensation information and, if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, the department shall notify the appropriate law enforcement or professional licensing, certification, or regulatory agency or entity, and provide dispensation information required for an investigation.

4. The department may provide data in the controlled substances dispensation monitoring program to the following persons:

(1) Persons, both in-state and out-of-state, authorized to prescribe or dispense controlled substances for the purpose of providing medical or pharmaceutical care for their patients;

(2) An individual who requests his or her own dispensation monitoring information in accordance with state law;

(3) The state board of pharmacy;

(4) Any state board charged with regulating a professional that has the authority to prescribe or dispense controlled substances that requests data related to a specific professional under the authority of that board;

(5) Local, state, and federal law enforcement or prosecutorial officials, both in-state and out-of-state engaged in the administration, investigation, or enforcement of the laws governing licit drugs based on a specific case and under a subpoena or court order;

(6) The family support division within the department of social services regarding Medicaid program recipients;

(7) A judge or other judicial authority under a subpoena or court order; and

(8) Authorized personnel of the department of health and senior services for the administration and enforcement of sections 195.450 to 195.480.

5. The department may provide data to public or private entities for statistical, research, or educational purposes after removing information that could be used to identify individual patients or persons who received dispensations from dispensers.

6. Nothing in sections 195.450 to 195.480 shall be construed to require a pharmacist or prescriber to obtain information about a patient from the database. A pharmacist or prescriber shall not be held liable for damages to any person in any civil action for injury, death, or loss to person or property on the basis that the pharmacist or prescriber did or did not seek or obtain information from the database.

195.459. The department is authorized to contract with any other agency of this state or with a private vendor, as necessary, to ensure the effective operation of the prescription monitoring program. Any contractor shall comply with the provisions regarding confidentiality of prescription information in section 195.456.

195.462. The department shall promulgate rules setting forth the procedures and methods of implementing sections 195.450 to 195.480. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 195.450 to 195.480 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

195.465. 1. A dispenser who knowingly fails to submit dispensation monitoring information to the department as required in sections 195.450 to 195.480 or knowingly submits the incorrect dispensation information is guilty of a class A misdemeanor.

2. A person authorized to have dispensation monitoring information under sections 195.450 to 195.480 who knowingly discloses such information in violation of sections 195.450 to 195.480 or who uses such information in a manner and for a purpose in violation of sections 195.450 to 195.480 is guilty of a class A misdemeanor.

195.468. 1. The department shall implement the following education courses:

(1) An orientation course during the implementation phase of the dispensation monitoring program established in section 195.453;

(2) A course for persons who are authorized to access the dispensation monitoring information but who did not participate in the orientation course;

(3) A course for persons who are authorized to access the dispensation monitoring information but who have violated laws or breached occupational standards involving dispensing, prescribing, and use of substances monitored by the dispensation monitoring program established in section 195.453;

When appropriate, the department shall develop the content of the education courses described in subdivisions (1) to (3) of this subsection.

2. The department shall, when appropriate:

(1) Work with associations for impaired professionals to ensure intervention, treatment, and ongoing monitoring and followup; and

(2) Encourage individual patients who are identified and who have become addicted to substances monitored by the dispensation monitoring program established in section 195.453 to receive addiction treatment.

195.471. The department of health and senior services shall develop and implement an electronic logbook to monitor the sale of schedule V controlled substances containing any detectable amount of pseudoephedrine. All pharmacists and registered pharmacy technicians shall submit their logbooks, as required under section 195.017, electronically in accordance with rules promulgated by the department.

195.474. 1. Beginning January 1, 2012, the bureau of narcotics and dangerous drugs within the department of health and senior services shall establish a two-year statewide pilot project for the reporting of fraudulently obtained prescription controlled substances. The pilot project shall include the following:

(1) Provide a toll-free number for reporting to the bureau by physicians, pharmacists, and other health care professionals with prescriptive authority who have reason to believe that a person is fraudulently attempting to obtain a prescription for a controlled substance or is attempting to obtain an excessive amount of a controlled substance by prescription;

(2) Establish a system within the bureau for receiving such reports under subdivision (1) of this subsection along with any evidence offered or submitted by the reporter which indicates the fraud; and

(3) Forward such reports, along with any evidence offered or submitted to the appropriate prosecuting attorney or the state attorney general for investigation and prosecution.

2. On or before February 1, 2013, and February 1, 2014, the bureau of narcotics and dangerous drugs shall submit a report to the general assembly detailing the following specifics regarding the pilot project:

(1) The number of reports received under this section;

(2) The type of evidence offered or submitted indicating the fraud;

(3) The number of referrals to the attorney general and each local prosecuting attorney;

(4) The number of cases investigated and prosecuted as a result of such reporting, and the number of convictions or pleas resulting from such investigations and prosecutions. The attorney general and local prosecuting attorneys shall cooperate with the bureau in the submission and collection of the information necessary for inclusion in the report; and

(5) Any recommendations regarding continuance of and improvements in the pilot project.

Nothing in this section shall be construed as authorizing the inclusion or release of any identifying information of any reporter or person who is identified as a person who is attempting to fraudulently obtain prescription controlled substances.

3. Any person who in good faith reports to the bureau under this section shall be immune from any civil or criminal liability as the result of such good faith reporting.

4. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. The pilot project shall be funded from existing appropriations or with any moneys specifically appropriated for this pilot project. The lack of any additional new appropriations for this pilot project shall not be sufficient cause for the department to fail to establish the pilot project under this section.

6. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly; and**
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and**
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.**

195.477. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under sections 195.450 to 195.480 shall automatically sunset six years after the effective date of sections 195.450 to 195.480 unless reauthorized by an act of the general assembly; and**
- (2) If such program is reauthorized, the program authorized under sections 195.450 to 195.480 shall automatically sunset six years after the effective date of the reauthorization of sections 195.450 to 195.480; and**
- (3) Sections 195.450 to 195.480 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 195.450 to 195.480 is sunset.**

195.480. The provisions of sections 195.450 to 195.480 shall be funded with federal or private grant moneys. If no federal or private grant moneys are available to implement the provisions of sections 195.450 to 195.480, the prescription drug monitoring act shall be implemented subject to appropriations."; and

Further amend said bill, Page 27, Section 334.715, Line 63, by inserting after all of said line the following:

"334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances shall be limited to a five-day supply without refill. Physician assistants who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include [such] **the Drug Enforcement Administration** registration [numbers] **number** on prescriptions for controlled substances.

2. The supervising physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the physician assistant during which the physician assistant shall practice with the supervising physician on-site prior to prescribing controlled substances when the supervising physician is not on-site. Such limitation shall not apply to physician assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 12** was adopted.

Representative Brandom offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 2, Section 197.705, Line 40, by inserting immediately after the word “hospitals” the following:

“, ambulatory surgical centers,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brandom, **House Amendment No. 13** was adopted.

Representative Gosen offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said line the following:

“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises for the insurer’s base of operations within the disaster area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 14** was adopted.

Representative Frederick offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Section A, Page 1, Line 7, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

(b) **If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 15** was adopted.

Representative Atkins offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 6, Section 324.045, Line 17, by inserting after all of said section and line the following:

“324.800. 1. There is hereby established within the department of health and senior services the "Missouri Radon Certification Program". The program shall require national certification and Missouri state certification and registration of all individuals and businesses performing radon services in the state of Missouri. Radon measurement, radon laboratories, individuals and businesses that conduct radon mitigation services in Missouri shall be certified through one of two national radon certification programs. Certification requirements are set forth in subsection 2 of section 324.809.

2. The department of health and senior services shall administer the Missouri radon certification program. No person shall provide radon services except as authorized under sections 324.800 to 324.845. Any violation of sections 324.800 to 324.845 is a misdemeanor punishable by a fine of not more than one thousand dollars per violation.

324.803. As used in sections 324.800 to 324.845, the following terms shall mean:

(1) **"Certified radon professional program (CRPP)", curriculum provided by the National Radon Safety Board. The curriculum and examinations provide the necessary information about the policies, requirements, and procedures that follow strict national protocols established by the United States Environmental Protection Agency to measure and mitigate radon gas;**

(2) **"Department", the department of health and senior services;**

(3) **"Laboratory", a commercial entity nationally certified to analyze radon levels of tests conducted;**

(4) **"Measurement provider - standard and analytical services", an individual who:**

(a) Is nationally certified and has demonstrated knowledge of measurement protocols for the placement and retrieval of radon measurement devices;

(b) Has demonstrated knowledge and successfully completed a device type certification examination from a nationally certified laboratory for the proper interpretation and reporting of results obtained through the recovery and review of data obtained from the radon testing device used;

(5) "Measurement provider - standard services", an individual who is nationally certified and has demonstrated knowledge of measurement protocols for the placement and retrieval of radon measurement devices;

(6) "Mitigator", a person nationally certified and trained to design and install radon reduction or mitigation systems;

(7) "National radon proficiency program (NRPP)", curriculum provided by the National Environmental and Health Association (NEHA). The curriculum and examinations provide the necessary information about the policies, requirements, and procedures that follow strict national protocols established by the United States Environmental Protection Agency to measure and mitigate radon gas;

(8) "Radon services", any of the following:

(a) A laboratory;

(b) A measurement provider - standard services;

(c) A measurement provider - standard and analytical services; or

(d) A mitigator.

324.806. Sections 324.800 to 324.845 shall not apply to any of the following:

(1) A person who is testing for or mitigating radon in a building that such person owns or occupies;

(2) A person who designs mitigation plans for radon resistant new construction;

(3) State officials conducting tests in state facilities, public schools, and other state-funded facilities deemed appropriate by the state radon office; or

(4) A person who is performing scientific research regarding testing or mitigation of radon, but only if such person informs the owner and the occupant of the building of all of the following:

(a) That he or she is not state or nationally certified by the NEHA or NRSB;

(b) Any test results are not certified nor valid for legal purposes; and

(c) Any measurement or mitigation methods suggested or used are experimental and no compensation for such services is solicited or made.

324.809. 1. Beginning January 1, 2012, no person may provide radon services for the measurement or mitigation of the presence of radon in the state of Missouri unless such person has been nationally certified and certified by the department of health and senior services under sections 324.800 to 324.845.

2. No certification shall be approved unless the following conditions have been met:

(1) The applicant is qualified to perform the activities for which the applicant is seeking certification, including the training and experience required in section 324.800;

(2) Successful completion of the National Environmental Health Association (NEHA) National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB) Certified Radon Professional Program (CRPP) for the radon services which the applicant is seeking certification;

(3) Continued verification of the credentials provided by the NEHA or the NRSB are current and certification has not been suspended, expired, or revoked; and

(4) Any radon proficiency certification that has been suspended, expired, or revoked by the NEHA or the NRSB shall result in the department suspending or revoking any existing state certification to provide radon services in Missouri.

324.812. 1. In the deployment of radon measurement and radon mitigation activities, the protocols defined by the NEHA or the NRSB shall apply.

2. Protocols used by the radon service provider shall be in accordance with the organization the radon service provider completed his or her certification exam.

3. In all cases where discrepancies exist with radon mitigation system configurations and deployment, the most current version of ASTM Standard E2121 shall be used.

4. Where discrepancies exist between NEHA or the NRSB protocols and local codes or regulations, local codes and regulations shall take precedence.

5. Local codes shall not take precedence with regard to alterations to a radon mitigation system which may adversely impact the performance of the system to reduce radon levels for which the system was originally designed.

6. Due to the wide variation in building design, size, operation, and use, such requirements do not include detailed guidance on how to select the most appropriate mitigation strategy for a given building.

324.815. Certification as a measurement provider - standard services shall include all of the following by an applicant:

- (1) Successful completion of a NEHA NRPP or NRSB CRPP;
- (2) Agreement to the terms and conditions of the department as stipulated on the Missouri certification program application;
- (3) Maintenance of radon measurement accreditation with the NEHA or NRSB, including reporting any disruption in accreditation status with the National Environmental Health Association or the National Radon Safety Board to the department within fifteen calendar days of the disruption in accreditation.

324.818. Certification as a measurement provider - standard and analytical services shall include all of the following by an applicant:

- (1) Successful completion of a NEHA NRPP or the NRSB CRPP;
- (2) Successful completion of the laboratory radon device type analytical proficiency program requirements;
- (3) Agreement to the terms and conditions of the department as stipulated on the Missouri radon certification program application;
- (4) Maintenance of radon measurement accreditation with the NEHA or the NRSB, including reporting any disruption in accreditation status with the NEHA or the NRSB to the department within fifteen calendar days of the disruption in accreditation.

324.821. Certification as a radon mitigation provider shall include all of the following by an applicant:

- (1) Successful completion of the radon measurement and mitigation courses of the NEHA NRPP or the NRSB CRPP;
- (2) Agreement to the terms and conditions of the department as stipulated on the Missouri radon certification program application;
- (3) Presence of a state certified radon mitigator at every mitigation job site to inspect and assure the radon mitigation system meets the NEHA NRPP or NRSB CRPP and local code requirements;
- (4) Maintenance of radon mitigation accreditation with the NEHA or the NRSB, including reporting any disruption in accreditation status with the NEHA or the NRSB to the department within fifteen calendar days of the disruption in accreditation.

324.824. 1. The department of health and senior services shall maintain a list of persons that are certified as radon service providers by their department. Such list shall be made available to the public and to the state realtors board.

2. The list of Missouri certified radon service providers shall be provided to the state realtors board for dissemination and communication with their members, realtors, consultants, and constituents.

3. The state realtors board shall require their members, realtors, consultants, and constituents to adhere to the guidelines of sections 324.800 to 324.845 in the course of all real estate transactions where radon service providers are requested.

324.827. 1. Radon mitigation providers shall include a statement in all documents construed as a contract to install a mitigation system that the mitigation system installed should be tested by an independent radon measurement professional. Testing should occur not less than twenty-four hours nor more than thirty days after the mitigation system has been installed.

2. The requirement for independent post-radon mitigation radon measurement testing shall be included in the Missouri certification program to alleviate the possible conflict of interests between the radon mitigation provider and the need to impartially assess the success of the mitigation system.

3. If such requirement is waived, the contract shall be signed by the client agreeing that post-mitigation system testing by an independent radon measurement professional was not requested.

4. Radon mitigation providers may provide a short- or long-term radon measurement test kit to the client to meet the independent radon measurement post-mitigation test requirement, provided that the test results are analyzed by an independent qualified radon laboratory as defined in section 324.800.

324.830. 1. Analytical laboratories shall meet the requirements for certification with the National Environmental Health Association's National Radon Proficiency Program.

2. All laboratories shall have a responsible party who is certified as a residential measurement provider through the National Environmental Health Association or the National Radon Safety Board.

324.833. 1. Individuals and businesses providing radon services in Missouri:

(1) Shall complete continuing education requirements set by the NEHA or the NRSB;

(2) Shall complete two or more accredited continuing education hours promoting radon awareness to the citizens of Missouri. Such promotion includes, but is not limited to, public outreach, presentations, forums, meetings, and presentations to interested professional organizations. The authoritative source for qualified continuing education credits to meet such requirement may be obtained from the NEHA or the NRSB. State certification requirements to satisfy such requirement shall be included with all radon service provider renewal applications.

2. Continuing education requirements set forth by the NEHA or the NRSB shall meet Missouri radon service providers' continuing education requirements set forth in subdivision (2) of subsection 1 of this section.

324.836. 1. An application for state radon services certification may be submitted at any time.

2. If the requirements of sections 324.809 to 324.821 have been met, the department shall review the completed application and validate the supportive documentation for inclusion into the state radon services certification program. The validation shall include, but not be limited to, validating the applicant's accreditation with the NEHA or the NRSB.

3. All applicants shall agree to the terms and conditions of the department as stipulated on the Missouri radon certification program application.

4. Missouri state radon service provider certification renewal periods shall coincide with the radon service providers' accreditation period with the NEHA or the NRSB.

5. Radon service provider accreditation with the NEHA or the NRSB shall be validated by the department.

324.839. 1. Missouri state radon service providers shall retain the following copies of records associated with the provision of services to clients for a period of five years, which may be in paper or electronic form:

(1) Any contracts and description of services provided;

(2) Any radon measurement tests performed;

(3) Any equipment calibration certificates;

(4) Any radon mitigation contracts;

(5) Any post-mitigation tests provided by the radon service provider, independent radon measurement provider, or laboratory;

(6) All working level (WL) radon exposure records for employees maintained by the radon service provider in accordance with the NEHA NRPP or the NRSB CRPP;

(7) Any accreditation documents provided by the National Environmental Health Association or the National Radon Safety Board; and

(8) Any official documents validating the successful completion of the radon measurement device type analytical certification program.

2. The department may require copies of any or all records maintained by the radon service provider at any time and may require statistical information from radon service providers on a periodic basis.

3. Random documentation audits shall be made by the department to assure the integrity of the Missouri radon certification program.

4. The department may, at the department's discretion, make arrangements for an on-site visit to the radon service provider's registered place of business to inspect document retention policies and procedures.

5. Radon service providers shall comply with requests for records or on-site inspections or audits in order to maintain their state certification status.

6. Failure to comply or cooperate with requests for documentation by the department may result in the suspension or revocation of the service provider's Missouri state certification status.

7. Upon request, radon service providers shall allow authorized representatives of the department to accompany him or her while performing any radon measurement or mitigation activities for the purpose of inspecting such activities, with the approval of the property owner or resident on whose property such activity is being performed.

324.842. 1. A radon service provider who resides outside the boundaries of Missouri and holds a radon measurement or a radon measurement and mitigation certification from the NEHA or the NRSB may apply for certification with the department.

2. All requirements and conditions of sections 324.800 to 324.845 shall apply to each individual or business residing outside this state that applies for certification to conduct business as a radon service provider.

324.845. 1. Complaints filed with the department against a state certified radon service provider related to noncompliance with the NEHA NRPP or NRSB CRPP protocols shall be investigated. The department shall provide a copy of the filed complaint to the radon service provider electronically and by United States mail.

2. The radon service provider shall have thirty calendar days to remedy the complaint with the complainant to the satisfaction of the department.

3. In all cases, the most current version of ASTM E2121 shall be used to adjudicate the complaint.

4. (1) In the event the complaint filed is valid and not remedied to the satisfaction of the complainant and the department, the radon service provider may ask for a review with the panel of professionals comprised as follows:

(a) A state certified and registered radon mitigator selected at random by the department;
(b) A state certified and registered mitigator selected by the radon service provider. The radon service provider shall not select themselves or a radon service provider from their company to meet such requirement; and

(c) A representative from the department.

(2) The review shall be conducted within ninety days after the date the request is received by the department and shall be chaired by the representative from the department.

(3) Upon completion of the review by the panel listed in subdivision (1) of this subsection, a simple majority vote of the panel shall determine if the complaint has been remedied using the guidelines of ASTM E2121.

(4) The determination of the panel is final.

(5) If the panel determines the complaint has merit, the offending radon service provider may be required to make restitution as follows:

(a) Be prosecuted by the complainant in the appropriate court of law to solicit recovery of any and all costs or damages; and

(b) Be required to make monetary restitution to the department not to exceed one thousand dollars per complaint. The amount of restitution to the department shall be set by the panel listed in subdivision (1) of this subsection.

(6) All costs, excluding monetary restitution to the department, associated with subsection 4 of this section shall be borne by the radon service provider requesting the review.

(7) If repeated complaints with merit are filed against a certified radon service provider, the national certifying organization shall be notified by the department to assess disciplinary action up to and including revoking state certification and requesting revocation of national certification. For purposes of this subdivision, national certifying organizations are the NEHA or the NRSB.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Atkins moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Sifton offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 38, Section 537.033, by striking all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 17** be adopted.

Which motion was defeated.

On motion of Representative Jones (117), **HCS SCS SB 29, as amended**, was adopted.

On motion of Representative Jones (117), **HCS SCS SB 29, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Aull	Barnes	Bernskoetter	Black
Brandom	Brown 50	Brown 85	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Cross	Davis	Denison	Dieckhaus	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Jones 89	Jones 117	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Parkinson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schoeller	Shively
Shumake	Smith 150	Solon	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 064

Anders	Asbury	Atkins	Bahr	Berry
Brattin	Brown 116	Burlison	Carlson	Carter
Colona	Crawford	Curtman	Dugger	Ellinger
Entlicher	Fuhr	Hampton	Harris	Hodges
Holsman	Hummel	Johnson	Jones 63	Kander
Keeney	Kirkton	Koenig	Lampe	Lasater
Leach	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Nolte	Oxford
Pace	Pierson	Pollock	Rizzo	Schieber
Schneider	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Franklin	Funderburk	Gatschenberger
Hughes	McGhee	Phillips	Scharnhorst	Schieffer
Schupp				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SB 61, as amended, relating to local government, was taken up by Representative Nasheed.

Representative Nasheed moved that the House refuse to recede from its position on **HCS SB 61, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 322, as amended, relating to federal reimbursement allowances, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS SB 322, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SB 226, as amended, relating to ambulance districts, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **HCS SS SB 226, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SB 250, relating to sexual offenders, was taken up by Representative Schad.

Representative Schad offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 250, Page 1, In the Title, Line 3, by deleting from said line the word “assault”; and

Further amend said page, Section A, Line 2, by inserting after all of said section and line, the following:

“43.650. 1. The patrol shall, subject to appropriation, maintain a web page on the Internet which shall be open to the public and shall include a registered sexual offender search capability. **This web page shall only include the names and information for Tier II and III offenders. Tier I offenders’ names and information shall not be included on this public web page but the patrol shall maintain a separate registry for Tier I offenders to which only law enforcement agencies shall have access and then only for a period of five years.**

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the Internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual to be taken by the registering official;**
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register, **including the tier level assigned to the offender under sections 589.400 to 589.425;**
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of section 589.400 to 589.425; [and]
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender;
- (11) **The original and most recent registration date of the offender;**
- (12) **The status of the offender's term of incarceration, probation, or parole; and**
- (13) **Whether the offender is a repeat offender due to having multiple adjudications for separate offenses requiring registration under sections 589.400 to 589.425.**

5. Although required to register under sections 589.400 to 589.425, if:

- (1) There is no other offense for which the offender is required to register;
- (2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and
- (3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

Then offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110, are exempt from the public notification requirements of this section.

6. Witnesses afforded federal protection required to register under sections 589.400 to 589.425, may be excluded from public notification under 18 U.S.C. Section 3521 et seq. while under active federal protection.

7. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 are exempt from public notification to include out-of-state, federal, military, tribal, territory, District of Columbia, or foreign country.”; and

Further amend said bill, Page 2, Section 589.040, Line 9, by inserting after all of said section and line, the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who[, since July 1, 1979,] has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit [a felony] **an** offense [of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor,] **listed in section 589.414** unless such person is [exempted] **exempt** from registering under subsection 7 or 8 of this section **or section 589.401**; or

(2) [Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3)] Any person who[, since July 1, 1979,] has been committed to the department of mental health as a criminal sexual psychopath; or

[(4)] (3) Any person who[, since July 1, 1979,] has been found not guilty as a result of mental disease or defect of any offense listed in [subdivision (1) or (2) of this subsection] **section 589.414**; or

[(5)] (4) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been [convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense] **adjudicated of an offense listed in section 589.414**; or

[(6)] (5) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; or

[(7)] (6) Any person who is a resident of this state who has[, since July 1, 1979,] **been** or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would [be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection] **constitute an offense listed in section 589.414** or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

[(8)] (7) Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three **business** days of [conviction] **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile in subdivision (5) of subsection 1 of this section, within three business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three **business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law

enforcement official[, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested].

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender;**

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of [subsection 6 of this] section **589.401**; or

(4) The [registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the] court orders the removal or exemption of such person from the registry **under section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **The following individuals shall be exempt from registering as a sexual offender:** any person currently on the sexual offender registry **or who otherwise would be required to register** for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. **The following individuals shall be exempt from registering as a sexual offender upon filing a petition with the court with jurisdiction under section 589.401, and that court ordering the petitioner to be removed from the registry:**

(1) Any person currently on the sexual offender registry **or who otherwise would be required to register** for [having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register] **a sexual offense involving sexual conduct where no force or threat of force was directed toward the victim or any other individual involved and:**

(a) The victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense; or

(b) The victim was eighteen years of age or younger and the offender was not more than five years older than the victim at the time of the commission of the offense.

However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425; or

(2) Effective August 28, 2011, any person currently required to register for the following sexual offenses, however, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425:

- (a) Sexual misconduct in the second degree under section 566.093;
- (b) Sexual misconduct in the third degree under section 566.095;
- (c) Promoting obscenity in the first degree under section 573.020;
- (d) Promoting obscenity in the second degree under section 573.030;
- (e) Furnishing pornographic materials to minors under section 573.040;
- (f) Public display of explicit sexual material under section 573.060; or
- (g) Coercing acceptance of obscene material under section 573.065.

8. [Effective August 28, 2009,] Any person **currently** on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to [an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense] **committing, attempting to commit, or conspiring to commit a Tier I, II, or juvenile Tier III offense or other comparable offense listed in section 589.414 may file a petition under section 589.401.**

9. [(1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10.] Any nonresident worker **to include work as a volunteer or intern** or nonresident student shall register for the duration of such person's employment or attendance at any school **whether public or private in nature, including any secondary school, trade school, professional school, or institution** of higher education [and is not entitled to relief under the provisions of subsection 9 of this section] **on a full-time or part-time basis in Missouri unless granted relief under section 589.401.** Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section] **unless granted relief under section 589.401.**

[11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.]

589.401. 1. A person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name removed from the sexual offender registry.

2. A person who is required to register in Missouri because of an adjudication that was committed in another jurisdiction shall file their petition for removal according to the laws of the state, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which their offense was adjudicated. Upon the grant of the petition for removal in the jurisdiction where the offense was adjudicated, said judgment may be registered in this state by sending the information required in subsection 5 of this section as well as one authenticated copy of the order granting removal from the sexual offender registry in the jurisdiction where the offense was adjudicated, to the court in the county in which the offender is required to register. On receipt of a request for registration removal, the registering court shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form. The petitioner shall be responsible for costs associated with filing the petition.

3. A person required to register as a Tier III offender cannot file a petition under this section unless the requirement to register results from a juvenile adjudication.

4. The petition shall be dismissed without prejudice if the following time periods have not elapsed since the date the person was required to register:

- (1) For a Tier I offense, five years;
- (2) For a Tier II offense, ten years;
- (3) For a Tier III offense adjudicated as a juvenile, twenty-five years.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
 - (a) Full name;
 - (b) Sex;
 - (c) Race;
 - (d) Date of birth;
 - (e) Last four digits of the Social Security number;
 - (f) Address;
 - (g) Place of employment, school, or volunteer status;
- (2) The offense and tier of the offense that required the petitioner to register;
- (3) The date the petitioner plead to, was convicted of or was adjudicated for the offense;
- (4) The date the petitioner was required to register;
- (5) The case number and court, including county, that entered the original order for the adjudicated sex offense;
- (6) Petitioner's fingerprints on an applicant fingerprint card;
- (7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated or set aside, an authenticated copy of the order;
- (8) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including but not limited to criminal history records, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

11. The court shall not enter an order directing the removal of the petitioner's name from the sexual offender registry unless it finds the petitioner:

- (1) Has not been adjudicated of or have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date that the offender was required to register for their current tier level;
- (2) Has not been adjudicated of or have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date that the offender was required to register for their current tier level, even if the offense was punishable by less than one year imprisonment;
- (3) Has successfully completed any required periods of supervised release, probation, or parole without revocation since the date that the offender was required to register for their current tier level;
- (4) Has successfully completed an appropriate sex offender treatment program as approved by a court of jurisdiction or the Missouri department of corrections; and
- (5) Is not a current or potential threat to public safety.

12. In order to prove the facts required by subdivisions (1) and (2) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.

13. If it is found that the petition is denied due to a violation of subdivision (1) or (2) of subsection 11 of this section then the petitioner may not file a new petition under this section until:

(1) Five years have passed from the date of the adjudication resulting in the denial of relief, if the petitioner is classified as a Tier I offender;

(2) Ten years have passed from the date of adjudication resulting in the denial of relief, if the petitioner is classified as a Tier II offender; or

(3) Twenty-five years have passed from the date of the adjudication resulting in the denial of relief, if the petitioner is classified as a Tier III offender on the basis of a juvenile adjudication.

14. If the petition is denied for reasons other than those outlined in subdivision (1) or (2) of subsection 11 of this section, no successive petition requesting such relief shall be filed for at least five years from the date the judgment denying relief is entered.

15. If the court finds that the petitioner is entitled to have his or her name removed from the sexual offender registry, it shall enter judgment directing the Missouri state highway patrol to remove the name within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

16. Any person subject to judgment requiring his or her name to be removed from the sexual offender registry is not required to register under sections 589.400 to 589.425 unless such person is required to register for an offense that was committed after the judgment of removal was entered.

17. The court may deny the petition for any legitimate legal justification.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a web page on the Internet, which shall be open to the public and shall include a registered sexual offender search capability. **This web page shall only include the names and information for Tier II and III offenders. Tier I offenders names and information shall not be included on this public web page.**

2. **Except as provided by subsections 5 and 6 of this section** the registered sexual offender search [shall] may make it possible for any person using the Internet to search for and find the information specified in subsection 3 of this section, if known, on **Tier II and III** offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. Only the information listed in this subsection [shall] **may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) [Any photographs of the offender] **A current photograph of the individual to be taken by the registering official;**

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register, **including the Tier level assigned to the offender under sections 589.400 to 589.425;**

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender;

(11) **The original registration date and most recent registration date of the offender;**

(12) **The status of the offender's term of incarceration, probation, or parole; and**

(13) **Whether the offender is a repeat offender due to having multiple adjudications for separate offenses requiring registration under sections 589.400 to 589.425.**

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any **Tier II or III** offender residing in the county or city not within a county.

5. **Although required to register under sections 589.400 to 589.425, if:**

(1) **There is no other offense for which the offender is required to register;**

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct, occurred during the offense.

Then offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120, or kidnapping of a nonsexual in nature when the victim was under the age of eighteen under section 565.110, are exempt from the public notification requirements of this section.

6. Witnesses afforded federal protection required to register under sections 589.400 to 589.425, may be excluded from public notification under 18 U.S.C. Section 3521 et seq. while under active federal protection.

7. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 are exempt from public notification to include out-of-state, federal, military, tribal, territory, District of Columbia, or foreign country.

589.403. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, **private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall:

(1) **If the person plans to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release, to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release]. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]; **or**

(2) **If the person does not reside or plan to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section, or fails to register with the chief law enforcement official within three business days as directed, it will constitute an offense of failure to register under section 589.425.

589.404. As used in sections 589.400 to 589.425 the following terms mean:

(1) "Absconder", a sex offender who has failed to register and whose whereabouts are unknown;

(2) "Adjudication", a plea of guilt, finding of guilt, finding of not guilty due to mental disease or defect, plea of nolo contendere to committing, attempting to commit, or conspiring to commit;

(3) "Employee", includes an individual who is self-employed or works for any other entity, whether compensated or not. This definition includes working as a volunteer or unpaid intern;

(4) "Habitually lives", when an offender is classified as homeless, the place where the offender habitually lives shall be defined as information about a certain part of a city, town, or county that is the sex offender's habitual locale, a park, or spot on the street, or a number of such places, where the sex offender stations himself or herself during the day or sleeps at night, shelters among which the sex offender circulates, or places in public buildings, restaurants, libraries, or other establishments that the sex offender frequents;

(5) "Habitually located", in regard to means of transportation, the place where a vehicle, watercraft, or aircraft is normally located when not in use;

(6) "Noncompliant", a sexual offender who has not completed or updated his or her information and is not compliant with the chief law enforcement officer in the county in which they reside;

(7) "Offender registration", defines the required minimum informational content of sex offender registries and will consist of but will not be limited to, a full set of fingerprints on a standard sex offender

registration card upon initial registration in Missouri, as well as all other forms required by the Missouri state highway patrol upon each initial and subsequent registration;

(8) "Residence", is defined as any place where an offender sleeps for seven or more consecutive or nonconsecutive days or nights within a twelve-month period;

(9) "Sexual act", any type or degree of genital, oral, or anal penetration;

(10) "Sexual contact", any sexual touching of or contact with a person's body, either directly or through the clothing;

(11) "Sexual element", used for the purposes of distinguishing if sexual contact or a sexual act was committed. Authorities will refer to information filed by the prosecutor, amended information filed by the prosecutor, indictment information filed by the prosecutor, or amended indictment information filed by the prosecutor, plea agreement, or court documentation to determine if a sexual element exists;

(12) "Sex offender", any person who meets the criteria to register under sections 589.400 to 589.425 or the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109);

(13) "Sex offense", any offense which is listed in section 589.414 or comparable to those listed in section 589.414 or otherwise comparable to offenses covered under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109);

(14) "Signature", the name of the offender signed in writing or electronic form approved by the Missouri state highway patrol;

(15) "Student", an individual who enrolls in or attends the physical location of an educational institution, including (whether public or private) a secondary school, trade or professional school, and institutions of higher education;

(16) "Vehicle", any land vehicle.

589.405. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [obtain the address where the person expects to reside upon discharge, parole or release and shall] **make it a condition of probation that the offender** report, within three business days[, such address] to the chief law enforcement official of the county **of adjudication** or city not within a county [where the person expects to reside, upon discharge, parole or release] **of adjudication, to complete the initial registration. If such offender is not placed on probation the court shall:**

(1) **If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;**

(2) **If the offender does not reside in Missouri, the court shall:**

(a) **Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and**

(b) **Complete the initial notification of duty to register form approved by the state judicial records committee and Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.**

2. **If the offender refuses to complete and sign the registration information as outlined in subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subsection 2 of this section, it will constitute an offense of failure to register under section 589.425.**

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **will consist of a statement in writing, including the signature of the offender** and shall include, but is not limited to the following:

(1) [A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires

registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;] **The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias date of births used;

(3) The address of the individual's residences or, if the individual is deemed homeless under section 589.414, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim at the time of the offense;

(13) The date the individual successfully completed the Missouri sexual offender program under section 589.040 or that the program was not successfully completed;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates;

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

(1) Copies of all of the individual's passport or immigration documents;

(2) The fingerprints, palm prints, and a photograph of the person; [and]

(3) A current photograph of the individual to be taken by the registering official; and

[(3)] (4) A DNA sample from the individual, if a sample has not already been obtained.

[2.] 3. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card;

(2) A document verifying proof of the offender's residency; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing their existing registration information for accuracy at every regular in person appearance and if any inaccuracies are found provide proof of the information in question.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425 and a statement to this effect will be included on the form that the individual is required to sign at each registration.

589.408. 1. Any person who would otherwise be a Tier II or Tier III offender may file a petition in the division of the circuit court in the county in which the offense requiring classification as a Tier II or Tier III offender was adjudicated to have his or her classification lowered one Tier.

2. A person whose offense requiring classification in Missouri as a Tier II or Tier III offender was adjudicated in another jurisdiction shall file his or her petition in the court in the county in which the offender is required to register. The petitioner shall be responsible for costs associated with filing the petition.

3. The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
 - (a) Full name;
 - (b) Sex;
 - (c) Race;
 - (d) Date of birth;
 - (e) Last four digits of the Social Security number;
 - (f) Address;
 - (g) Place of employment, school, or volunteer status;
- (2) The offense or offenses requiring classification as a Tier II or Tier III offender;
- (3) All offenses that required the petitioner to register;
- (4) The date the petitioner was required to register;
- (5) The case number and court, including county, that entered the order for the adjudicated sex offense requiring classification as a Tier II or Tier III offender;
- (6) Petitioner's fingerprints on an applicant fingerprint card;
- (7) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

4. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

5. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

6. In making a determination as to whether the petition should be granted the court shall, at a minimum, consider the following factors:

(1) The seriousness of the offense should the offender reoffend. This factor includes consideration of the following:

- (a) The degree of likely force or harm;
- (b) The degree of likely physical contact; and
- (c) The age of the likely victim;
- (2) The offender's prior offense history. This factor includes consideration of the following:
 - (a) The relationship of prior victims to the offender;
 - (b) The number of prior sexual offenses or victims;
 - (c) The number of prior noncontact sexual offenses;
 - (d) The number of prior nonsexual violent offenses;
 - (e) The number of prior sentencing dates;
 - (f) The duration of the offender's prior offense history;
 - (g) The length of time since the offender's last prior offense while the offender was at risk to commit offenses; and

- (h) The offender's prior history of other antisocial acts;
- (3) The offender's characteristics. This factor includes consideration of the following:
 - (a) The offender's response to prior treatment efforts; and
 - (b) The offender's history of substance abuse;
- (4) The availability of community supports to the offender. This factor includes consideration of the following:

- (a) The availability and likelihood that the offender will be involved in therapeutic treatment;
- (b) The availability of residential supports to the offender, such as a stable and supervised living arrangement in an appropriate location;
- (c) The offender's familial and social relationships, including the nature and length of these relationships and the level of support that the offender may receive from these persons; and
- (d) The offender's lack of education or employment stability;

(5) Whether the offender has indicated or credible evidence in the record indicates that the offender will reoffend if released into the community;

(6) Whether the offender had any unrelated victims;

(7) Whether the offender had any stranger victims;

(8) Whether the offender had any male victims;

(9) The current age of the offender;

(10) Whether the offender has ever lived with a lover for at least two years; and

(11) Whether the offender demonstrates a physical condition that minimizes the risk of reoffense, including but not limited to, advanced age or a debilitating illness or physical condition.

7. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking a reduction in classification, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking a reduction in classification level to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

8. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including but not limited to criminal history records, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

9. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to be classified as a Tier II or Tier III offender of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

10. The court shall not enter an order directing the lowering of the classification from a Tier II offender to a Tier I offender or from a Tier III offender to a Tier II offender unless it finds the petitioner:

(1) Has not been adjudicated of or have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date that the offender was required to register for the offense requiring classification as a Tier III offender;

(2) Has not been adjudicated of or have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date that the offender was required to register for the offense requiring classification as a Tier II or Tier III offender, even if the offense was punishable by less than one year imprisonment.

11. In order to prove the facts required by subdivisions (1) and (2) of subsection 10 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.

12. If it is found that the petition is denied a Tier II offender may not file a new petition under this section until five years have passed from the date of the adjudication resulting in the denial of relief and a Tier III offender may not file a new petition under this section until ten years have passed from the date of the adjudication resulting in the denial of relief.

13. If the court finds that the petitioner is entitled to have his or her classification lowered, it shall enter judgment directing the Missouri state highway patrol to change the offender's classification either from a Tier II to a Tier I offender or from a Tier III to a Tier II offender within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

14. The court may deny the petition for any legitimate legal justification.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than three business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,] appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] if there is a change to any of the following information:

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall within three business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information;

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

[2.] 4. If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state, **or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, **or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state, **or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3.] 5. **Tier I sexual offenders**, in addition to the requirements of subsections 1 [and 2] **to 4** of this section, [the following offenders] shall report in person to the chief law enforcement [agency every ninety days] **official annually in the month of their birth** to verify the information contained in their statement made pursuant to section 589.407. **Tier I sexual offenders include:**

(1) [Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;] **Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:**

- (a) Felonious restraint when there is sexual motivation under section 565.120;
- (b) Skilled nursing facility residents, sexual contact or intercourse with under section 565.200;
- (c) Invasion of privacy first degree under section 565.252;
- (d) Invasion of privacy second degree under section 565.253;
- (e) Child molestation second degree when the victim is fourteen to seventeen years of age under section 566.068;
- (f) Sexual misconduct involving a child under section 566.083;
- (g) Sexual misconduct in the first degree under section 566.090;
- (h) Sexual contact with prisoner or offender under section 566.145;
- (i) Age misrepresentation under section 566.153;
- (j) Endangering the welfare of a child in the second degree when it is sexual in nature and when the victim is fourteen to seventeen years of age under section 568.050; or
- (k) Possession of child pornography under section 537.037;
- (2) Any offender whose classification was changed to a Tier I offender by court order under section 589.408;

(3) Any offender who is [registered for a crime where the victim was less than eighteen years of age at the time of the offense; and] **or has been convicted of, been found guilty of, or pled guilty or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to the Tier I sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as Tier I offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109).**

[(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.] 6. **Tier II sexual offenders**, in addition to the requirements of subsections 1 [and 2] **to 4** of this section, [all registrants] shall report [semiannually] in person in the month of their birth [and six months thereafter] to the chief law enforcement [agency] **official** to verify the information contained in their statement made pursuant to section 589.407 **and six months thereafter, shall report by mail, on a form to be provided by the Missouri state highway patrol, to update any change in information or to indicate that there has been no change. This form shall require**

the signature of the offender. [All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency.] **Tier II sexual offenders include:**

(1) Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:

(a) Statutory rape in the second degree under section 566.034;
(b) Statutory sodomy in the second degree under section 566.064;
(c) Child molestation in the first degree when the victim is fourteen to seventeen years of age under section 566.067;

(d) Sexual contact with a student while on public school property when the victim is fourteen to seventeen years of age under section 566.086;

(e) Sexual abuse when the victim is fourteen years of age or older under section 566.100;

(f) Enticement of a child under section 566.151;

(g) Trafficking for the purpose of sexual exploitation under section 566.209;

(h) Child molestation in the second degree when the victim is under fourteen years of age under section 566.068;

(i) Promoting prostitution in the second degree when the victim is under eighteen years of age under section 567.060;

(j) Promoting prostitution in the third degree when the victim is under eighteen years of age under section 567.070;

(k) Endangering the welfare of a child in the first degree when there is sexual conduct or sexual contact with a victim fourteen to seventeen years of age under section 568.045;

(l) Endangering the welfare of a child in the second degree when the offense is sexual in nature and the victim is under thirteen years of age under section 568.050;

(m) Abuse of a child when the offense is sexual in nature under section 568.060;

(n) Genital mutilation of a female child under section 568.065;

(o) Child used in sexual performance under section 568.080;

(p) Promoting sexual performance by a child under section 568.090;

(q) Sexual exploitation of a minor under section 573.023;

(r) Promoting child pornography in the first degree under section 573.025;

(s) Promoting child pornography in the second degree under section 573.035; or

(t) Unlawful sex with an animal under section 566.111;

(2) Any offender whose classification was changed to a Tier II offender by court order under section 589.408;

(3) Any person who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I offense listed in this section or failure to register offense under section 589.425 or comparable out-of-state failure to register offense, who is already required to register as a Tier I offender due to having been convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a Tier I offense on a previous occasion; or

(4) Any person who is or has been convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to the Tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as Tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109).

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition such offenders shall report by mail, on a form to be provided by the Missouri state highway patrol, to update any change in information or to indicate that there has been no change, ninety days after each in-person report. This form shall require the signature of the offender. Except as provided in subsections 8 and 9 of this section, Tier III sexual offenders include:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:

(a) Kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense and when the victim is less than eighteen years of age and excluding kidnapping by parent or guardian under section 565.110;

(b) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(c) Forcible rape under section 566.030;

(d) Statutory rape in the first degree under section 566.032;

(e) Sexual assault under section 566.040;

(f) Forcible sodomy under section 566.060;

(g) Statutory sodomy in the first degree under section 566.062;

(h) Child molestation in the first degree when the victim is less than fourteen years of age under section 566.067;

(i) Deviate sexual assault under section 566.070;

(j) Sexual contact with a student while on public school property when the victim is less than fourteen years of age under section 566.086;

(k) Sexual abuse when the victim is less than fourteen years of age under section 566.100;

(l) Sexual trafficking of a child under section 566.212;

(m) Sexual trafficking of a child under the age of twelve, under section 566.213;

(n) Promoting prostitution in the first degree when the victim is less than eighteen years of age under section 567.050;

(o) Incest under section 568.020;

(p) Endangering the welfare of a child in the first degree when there is sexual conduct or sexual contact with a victim less than fourteen years of age under section 568.045;

(q) Endangering the welfare of a child in the first degree when there is sexual intercourse or deviate sexual intercourse with a victim less than eighteen years of age under section 568.045;

(3) Any offender who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I or Tier II offense listed in this section or failure to register offense under section 589.425, or other comparable out-of-state failure to register offense, who has been or is already required to register as a Tier II offender because of having been convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a Tier II offense, two Tier I offenses, or a combination of a Tier I offense and failure to register offense, on a previous occasion;

(4) Any offender who is or has been convicted of, been found guilty of, or pled guilty or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to a Tier III offense listed in this section or a Tier III offense under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109); or

(5) Any offender who is or has been convicted of, been found guilty of, or pled guilty to or nolo contendere to any offense of a sexual nature requiring registration under sections 589.400 to 589.425 that is not classified as a Tier I or Tier II offense in this section.

[5.] 8. In addition to the requirements of subsections 1 [and 2] to 7 of this section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend any school [or training] whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or part-time basis [in any other state] or has a temporary residence in Missouri shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6.] 9. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.

10. It is not a defense to a prosecution for a violation of any Tier I, Tier II, or Tier III offense listed in this section that the victim was a peace officer masquerading as a minor.

11. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

If such person's original offense is not currently a crime such person shall still be classified as a Tier I, II, or III offender. The classification shall be made by determining which current crime is most comparable to the original offense and then placing such person in the Tier which corresponds to that current crime.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1** was adopted.

On motion of Representative Schad, **HCS SB 250, as amended**, was adopted.

On motion of Representative Schad, **HCS SB 250, as amended**, was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Hummel	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schoeller	Shively	Shumake	Silvey
Smith 71	Smith 150	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Webb
Wells	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 020

Asbury	Brattin	Carlson	Davis	Houghton
Hubbard	Johnson	Kander	Lauer	McCaherty
Schieber	Sifton	Solon	Spreng	Swearingen
Wallingford	Walton Gray	Webber	White	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 116	Day	Dieckhaus	Franklin	Funderburk
Hughes	Marshall	McGhee	Phillips	Scharnhorst
Schieffer	Schneider	Schupp		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

SB 237, relating to guardians ad litem, was taken up by Representative Barnes.

On motion of Representative Barnes, **SB 237** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 116	Day	Dieckhaus	Franklin	Funderburk
Gatschenberger	Hughes	McGhee	Nolte	Phillips
Scharnhorst	Schieffer	Schupp		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 59, as amended, relating to judicial procedures, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 59, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 270, relating to elections, was taken up by Representative Dugger.

Representative Dugger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Section 115.123, Pages 4 and 5, by removing all of said section from the bill and inserting in lieu thereof the following:

“115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2[, 3,] and [4] 3 of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in February or November, or on another day expressly provided by city or county charter, [the first Tuesday after the first Monday in June] and in nonprimary years on the first Tuesday after the first Monday in August.

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections [115.755] **115.758** to 115.785 shall be held on the first Tuesday after the first Monday in March of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for voting; and
- (3) Special elections to fill vacancies and to decide tie votes or election contests.

4. No city or county shall adopt a charter or charter amendment which calls for elections to be held on dates other than those established in subsection 1 of this section.

5. Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

6. Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter.”; and

Further amend said bill, Page 8, Section 115.241 (repealed), Line 2, by inserting after all of said section and line the following:

“[115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in February of each presidential election year.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 5, Section 115.293, Line 11, by inserting after all of said section and line the following:

“181.060. 1. The general assembly may appropriate moneys for state aid to public libraries, which moneys shall be administered by the state librarian, and distributed as specified in rules and regulations promulgated by the Missouri state library, and approved by the secretary of state.

2. At least fifty percent of the moneys appropriated for state aid to public libraries shall be apportioned to all public libraries established and maintained under the provisions of the library laws or other laws of the state relating to libraries. The allocation of the moneys shall be based on an equal per capita rate for the population of each city, village, town, township, urban public library district, county or consolidated library district in which any library is or may be established, in proportion to the population according to the latest federal census of the cities, villages, towns, townships, school districts, county or regional library districts maintaining public libraries primarily supported by public funds which are designed to serve the general public. No grant shall be made to any public library which is tax supported if the rate of tax levied or the appropriation for the library should be decreased below the rate in force on December 31, 1946, or on the date of its establishment. Grants shall be made to any public library if a public library tax of at least ten cents per one hundred dollars assessed valuation has been voted in accordance with sections 182.010 to 182.460 or as authorized in section 137.030 and is duly assessed and levied for the year preceding that in which the grant is made, or if the appropriation for the public library in any city of first class yields one dollar or more per capita for the previous year according to the population of the latest federal census or if the amount provided by the city for the public library, in any other city in which the library is not supported by a library tax, is at least equal to the amount of revenue which would be realized by a tax of ten cents per one hundred dollars assessed valuation if the library had been tax supported. Except that, no grant under this section shall be affected because of a reduction in the rate of levy which is required by the provisions of section 137.073, **or because of a voluntary reduction in the levy following the enactment of a district sales tax under section 182.802, if the proceeds from the sales tax equal or exceed the reduction in revenue from the levy.**

3. The librarian of the library together with the treasurer of the library or the treasurer of the city if there is no library treasurer shall certify to the state librarian the annual tax income and rate of tax or the appropriation for the library on the date of the enactment of this law, and of the current year, and each year thereafter, and the state librarian shall certify to the commissioner of administration the amount to be paid to each library.

4. The balance of the moneys shall be administered and supervised by the state librarian who may provide grants to public libraries for:

- (1) Establishment, on a population basis to newly established city, county city/county or consolidated libraries;
- (2) Equalization to city/county[,], urban public, county or consolidated libraries;
- (3) Reciprocal borrowing;
- (4) Technological development;
- (5) Interlibrary cooperation;
- (6) Literacy programs; and
- (7) Other library projects or programs that may be determined by the local library, library advisory committee and the state library staff that would improve access to library services by the residents of this state. Newly established libraries shall certify through the legally established board or the governing body of the city supporting the library and the librarian of the library to the state librarian the fact of establishment, the rate of tax, the assessed valuation of the

library district and the annual tax yield of the library. The state librarian shall then certify to the commissioner of administration the amount of establishment grant to be paid to the libraries and warrants shall be issued for the amount allocated and approved. The sum appropriated for state aid to public libraries shall be separate and apart from any and all appropriations made to the state library.

182.802. 1. As used in this section, the following terms mean:

(1) "Public library district", any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district;

(2) "Qualified voters" or "voters", any individuals residing within the public library district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

2. The board of directors of any public library district located at least partially within the following counties may impose a tax as provided in this section:

(1) Any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(2) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(3) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(4) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(5) Any county of the third classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants; or

(7) Any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants.

3. The board of directors of any public library district described in subsection 1 of this section may, upon a majority vote of the board, impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-half of one cent, and shall be imposed solely for the purpose of funding the operation and maintenance of public libraries within the boundaries of the district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

4. No sales tax imposed under this section shall become effective unless the board of directors of the district submits to the voters within the district at a county or state general, primary, or special election a proposal to authorize the board of directors of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter immediately following the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. The board of directors of any district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. If the tax is repealed or terminated by any means, all remaining revenues generated from the sales tax shall continue to be used solely for the designated purposes, and the board of directors shall retain for a period

of one year two percent of the amount collected after the repeal or termination to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 5, Section 115.293, Line 11, by inserting after all of said line the following:

“130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state and serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041. No person shall form a new committee or serve as a deputy treasurer of any committee as defined in section 130.011 until the person or the treasurer of any committee previously formed by the person or where the person served as treasurer or deputy treasurer has filed all required campaign disclosure reports and statements of limited activity for all prior elections and paid outstanding previously imposed fees assessed against that person by the ethics commission.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state, and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the

sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit, without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

5. The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046. The statement of organization shall contain the following information:

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (10) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;

(2) The name, mailing address and telephone number of the candidate;

(3) The name, mailing address and telephone number of the committee treasurer, and the name, mailing address and telephone number of its deputy treasurer if the committee has named a deputy treasurer;

(4) The names, mailing addresses and titles of its officers, if any;

(5) The name and mailing address of any connected organizations with which the committee is affiliated;

(6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository. The account number of each account shall be redacted prior to disclosing the statement to the public;

(7) Identification of the major nature of the committee such as a candidate committee, campaign committee, political action committee, political party committee, incumbent committee, or any other committee according to the definition of committee in section 130.011;

(8) In the case of the candidate committee designated in subsection 3 of this section, the full name and address of each other candidate committee which is under the control and direction of the same candidate, together with the name, address and telephone number of the treasurer of each such other committee;

(9) The name and office sought of each candidate supported or opposed by the committee;

(10) The ballot measure concerned, if any, and whether the committee is in favor of or opposed to such measure.

6. A committee may omit the information required in subdivisions (9) and (10) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose.

7. A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

8. Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall **not** be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year].

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Fisher	Funderburk	Hubbard	Hughes
Parkinson	Phillips	Scharnhorst	Schieffer	Schupp
Smith 150	Spreng			

VACANCIES: 004

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

HCS SCS SB 270, as amended, was laid over.

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 101, as amended**: Senators Cunningham, Ridgeway, Lembke, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 591**, entitled:

An act to amend chapter 332, RSMo, by adding thereto one new section relating to limited dental teaching license.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 HB 648**, entitled:

An act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-one new sections relating to individuals with disabilities, with existing penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for House Bill No. 648, Page 25, Section 208.955, Line 14 of said page, by striking "twenty" and inserting in lieu thereof the following:

"**nineteen**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 59, as amended**: Senators Keaveny, Goodman, Crowell, Ridgeway and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 145, as amended**: Senators Dempsey, Brown, Rupp, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 226, as amended**: Senators Engler, Dixon, Parson, Callahan and Keaveny.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS SB 59: Representatives Diehl, Cox, Jones (117), McManus and Kelly (24)
HCS SB 61: Representatives Diehl, Cox, Richardson, Nasheed and Hubbard
HCS SB 145: Representatives Gatschenberger, Schneider, Diehl, Hummel and McManus
HCS SB 220: Representatives Diehl, Elmer, Korman, Kelly (24) and Carlson
HCS SS SB 226: Representatives Franz, Bernskoetter, Hough, Sifton and Schupp
HCS SB 322: Representatives Silvey, Stream, Flanigan, Kelly (24) and Carter

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 270, as amended, relating to elections, was again taken up by Representative Dugger.

Representative Wyatt offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 8, Section 190.056, Line 88, by inserting after all of said section and line, the following:

“Section 1. Notwithstanding the provisions of sections 77.230 and 78.440, any individual who is twenty four years of age or older shall be eligible to serve as mayor in a city of the third classification with a form of government organized under sections 78.430 to 78.640.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wyatt, **House Amendment No. 4** was adopted.

Representative Cauthorn offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 1, Section A, Line 4, by inserting after said line the following:

“11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 5** was adopted.

Representative Nasheed offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 4, Section 105.050, Line 8, by inserting after all of said section and line, the following:

“115.043. Each election authority may make all rules and regulations, not inconsistent with statutory provisions, necessary for the registration of voters and the conduct of elections. **Such rules and regulations may include a procedure by which an election authority may provide each registered voter residing within the election authority's jurisdiction the option of providing the voter's email address to the election authority to use for providing information to voters in conjunction with the conduct of elections. Providing information to a voter's email address by an election authority shall not be construed to fulfill the election authority's responsibility to provide notice or other election communications to any voter as required by state law.”; and**

Further amend said bill, Page 5, Section 115.123, Line 20, by inserting after all of said section and line, the following:

“115.155. 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form: APPLICATION FOR REGISTRATION Are you a citizen of the United States?
☐ YES ☐ NO

Will you be 18 years of age on or before election day?
☐ YES ☐ NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME SUCH AS A BIRTH CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT, OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID MISSOURI DRIVERS LICENSE OR OTHER FORM OF PERSONAL IDENTIFICATION.

.....
	Township (or Ward)
.....
Name	Precinct
.....
Home Address	Required Personal
	Identification Information
.....	
City ZIP	
.....
Date of Birth	Place of Birth (Optional)
.....
Telephone Number	Mother's Maiden Name
(Optional)	(Optional)
.....
Occupation (Optional)	Last Place Previously
	Registered
.....
Last four digits of	Under What Name
Social Security Number	
(Required for registration	
unless no Social Security	
number exists for Applicant)	
Remarks:	
.....	
When	

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief. I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH SUCH IMPRISONMENT AND FINE.

.....
Signature of Voter	Date
.....	
Signature of Election Official	

2. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

3. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification notice. If such notice is returned as undeliverable by the postal service within the time established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

4. If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may have such determination reviewed pursuant to the provisions of section 115.223. If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.

5. It shall be the responsibility of the secretary of state to prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law.

6. All voter registration applications shall be preserved in the office of the election authority.

7. Each election authority may provide each applicant for voter registration with the option of providing the applicant's email address with the applicant's voter registration form.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 6** was adopted.

On motion of Representative Dugger, **HCS SCS SB 270, as amended**, was adopted.

On motion of Representative Dugger, **HCS SCS SB 270, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	McNeil	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150

Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 043

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Ellinger	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	Meadows	Montecillo
Oxford	Pace	Pierson	Quinn	Rizzo
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Day	Funderburk	Hughes	Phillips
Scharnhorst	Schieffer	Schneider	Schupp	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HCS SB 284, relating to pharmacy, was taken up by Representative Sater.

Representative Schad offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 284, Section 338.330, Page 13, Line 38, by inserting after all of said section and line the following:

“376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.

2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.

3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.

6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.

7. Coverage under this section may be administered by a specialty pharmacy network.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 284, Page 1, Section A, Line 3, by inserting after all of said line the following:

"66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group A shall include all portions of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.** For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group B shall not include any portion of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.**

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to

the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for

annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of

this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof.

The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Leara moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Allen	Brattin	Cauthorn	Cierpiot	Cookson
Cox	Cross	Curtman	Davis	Denison
Dieckhaus	Fitzwater	Flanigan	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Higdon	Hinson	Houghton	Jones 89	Jones 117
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	McCahty	McNary	Pollock
Reiboldt	Richardson	Riddle	Ruzicka	Schad
Schatz	Schoeller	Shumake	Smith 150	Solon
Stream	Thomson	Wallingford	Wells	Wieland
Zerr				

NOES: 092

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Conway 14	Conway 27	Crawford
Dugger	Elmer	Entlicher	Fallert	Fraker
Franklin	Guernsey	Hampton	Harris	Hodges
Holsman	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Kratky
Lampe	Largent	Lasater	Leach	Long
Marshall	May	McCann Beatty	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo

Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Quinn	Redmon
Rizzo	Rowland	Sater	Schieber	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Weter	White
Wright	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 016

Colona	Day	Diehl	Ellinger	Fisher
Funderburk	Hughes	McDonald	Neth	Nolte
Phillips	Scharnhorst	Schieffer	Schneider	Schupp
Mr Speaker				

VACANCIES: 004

Representative Atkins offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 284, Page 4, Section 144.030, Line 122, by inserting immediately after the word “**Medicaid**” the following:

“, and all sales of prescription eyeglasses”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Atkins moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Bernskoetter offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 284, Page 12, Section 338.055, Line 99, by inserting after all of said section and line the following:

“338.098. 1. All prescription drug orders communicated by way of electronic transmission shall:

(1) Allow for the physician to review the patient's current medication list and medication history information as well as view all the medications available to the physician for the patient's condition;

(2) Have the ability to electronically adjudicate prior authorization and step therapy protocols. An electronic prior authorization process for allowing approval of an exception to the plan formulary or other restriction shall be available, so long as adjudication occurs within forty-eight hours from the time the prescription drug order is received; and

(3) Minimize interference between physician and patient through a neutral and open platform, except that information about the availability of a generic drug may be communicated. A generic drug is identical or bioequivalent to a brand name drug in dosage form, safety, strength, route of administration, quality, performance characteristics and intended use.

2. Nothing in this section shall preclude the use of paper prescriptions.

3. The board of pharmacy shall promulgate rules regarding such an electronic prior authorization process and to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in

section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill, Page 13, Section 338.330, Line 38, by inserting after all of said section and line the following:

“376.388. 1. A pharmacy benefit manager shall not:

(1) Automatically enroll or passively enroll a pharmacy in a contract or modify an existing contract without affirmation from the pharmacy or pharmacist;

(2) Require that a pharmacy or pharmacist participate in one pharmacy benefit manager contract in order to participate in another contract; or

(3) Discriminate between in-network pharmacies or pharmacists on the basis of copayments or days of supply unless such pharmacy declines to fill such prescriptions at the price allowed to other in-network pharmacies for such prescription.

2. When an insured presents a prescription to a pharmacy in the pharmacy benefit manager's network, the pharmacy benefit manager shall not reassign such prescription to be filled by any other pharmacy. When the pharmacy benefit manager contacts the prescribing health care practitioner to affirm or modify the original prescription, the affirmed or modified prescription shall be filled at the in-network pharmacy of the patient's choice to which the insured presented the original prescription.

376.1460. 1. As used in sections 376.1460 to 376.1464, the following terms shall mean:

(1) "Health carrier", the same meaning as such term is defined in section 376.1350, except when such health care services are provided, delivered, arranged for, paid for, or reimbursed by the department of social services or the department of mental health;

(2) "Pharmacy benefit manager" or "PBM", a person or entity other than a pharmacy or pharmacist acting as an administrator in connection with pharmacy benefits;

(3) "Switch communication", a communication to a patient or the patient's physician from a health carrier or PBM that recommends a patient's medication be switched by the original prescribing practitioner to a different medication than the medication originally prescribed by the prescribing practitioner. A switch communication shall:

(a) Clearly identify the originally prescribed medication and the medication to which it has been proposed that the patient should be switched;

(b) Explain any financial incentives that may be provided to, or have been offered to, the prescribing practitioner by the health carrier or PBM that could result in the switch to the different medication;

(c) Explain any clinical effects that the proposed medication may have on the patient which are different than those of the originally prescribed medication;

(d) Advise the patient of the right to discuss the proposed change in treatment before such a switch takes place, including a discussion with the patient's prescribing practitioner;

(e) Explain any cost sharing changes for which the patient is responsible; and

(f) Clearly identify the net change in cost to the health insurance payer, including employers, which will result from the use of the proposed medication in lieu of the originally prescribed medication.

2. Any time a patient's medication is recommended to be switched to a medication other than that originally prescribed by the prescribing practitioner, the following communication shall be sent:

(1) A switch communication to the patient and the patient's physician; and

(2) Information to the plan sponsor or health carrier using a PBM regarding the recommended medication and the cost, shown in currency form, of the originally prescribed medication. Such communication shall include notice of medication switches among plan participants, including any financial incentive the health carrier or PBM may be using to encourage or induce the switch. Information contained in the notification shall be in the aggregate and shall not contain any personally identifiable information.

The provisions of this subsection shall not apply to any substitution made under subsection 2 of section 338.056, unless such substitute results in a higher cost to the patient or health insurance payer.

3. All health carriers and pharmacy benefit managers shall submit the format and language for any switch communication that shall be sent to a patient under this section to the department of insurance, financial institutions and professional registration for approval. The department shall examine the format and language of the switch communication to ensure it meets the criteria for a switch communication as described in this section. The department shall have sixty days to review and issue a statement to the health carrier or PBM regarding compliance with this section. If the department finds noncompliance with this section, the department shall cite specific reasons for such decision.

4. The department shall also promulgate rules governing switch communications. Such rules shall include, but not be limited to, the following:

(1) Procedures for verifying the accuracy of any switch communications from health carriers and pharmacy benefit managers to ensure that such switch communications are truthful, accurate, and not misleading based on cost to the patient and plan sponsor, the product package labeling, medical compendia recognized by the MO HealthNet program for the drug utilization review program, and peer-reviewed medical literature; and

(2) Except for a substitution due to the Food and Drug Administration's withdrawal of a drug for prescription, a requirement that all switch communications bear a prominent notification on the first page clearly indicating the switch communication is not a product safety notice.

5. (1) A PBM owes a fiduciary duty to a covered entity and shall discharge that duty in accordance with the provisions of state and federal law.

(2) A PBM shall perform its duties with care, skill, prudence, and diligence and in accordance with the standards of conduct applicable to a fiduciary in an enterprise of like character and with like aims.

(3) A PBM shall notify the covered entity in writing of any activity, policy, or practice of the PBM that directly or indirectly presents any conflict of interest with the duties imposed by this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

376.1462. 1. Issuing or delivering or causing to be issued or delivered a switch communication that has not been approved and is not in compliance with the requirements of section 376.1460 is punishable by a fine not to exceed twenty-five thousand dollars.

2. Providing a misrepresentation or false statement in a switch communication under section 376.1460 is punishable by a fine not to exceed twenty-five thousand dollars.

3. Any other material violation of section 376.1460 is punishable by a fine not to exceed twenty-five thousand dollars.

376.1464. 1. When medications for the treatment of any medical condition are restricted for use by a health carrier or PBM by a step therapy or fail first protocol, a prescriber shall have access to a clear and convenient process to request an override for such restriction from the PBM or health carrier. An override of such restriction shall be expeditiously granted by the health carrier or PBM when the prescriber can demonstrate:

(1) Based on sound clinical evidence, that the preferred treatment required under the step therapy or fail first protocol has been ineffective in the treatment of the covered person's disease or medical condition; or

(2) Based on sound clinical evidence or medical and scientific evidence, that the preferred treatment required under the step therapy or fail first protocol:

(a) Is likely to be ineffective based on the known relevant physical or mental characteristics of the covered person and known characteristics of the drug regimen; or

(b) Will likely cause an adverse reaction or other harm to the covered person.

2. The duration of any step therapy or fail first protocol shall not be longer than a period of fourteen days when such treatment is deemed clinically ineffective by the prescribing physician. However, when the health carrier or PBM can show, through sound clinical evidence, the originally prescribed medication is likely to require more than two weeks to provide any relief or amelioration to the patient the step therapy or fail first protocol may be extended up to seven additional days.

3. Nothing in this section shall require the PBM or health carrier to grant an exception to the step therapy or fail first protocol if the prescriber fails to meet the requirements in subsection 1 of this section.

4. Nothing in this section shall be construed as requiring coverage for any condition which is specifically excluded by the insurance policy or contract and not otherwise covered by law.

376.1466. In order to expedite and provide a more efficient and cost effective process for the preauthorization and step therapy process, every pharmacy benefit manager and health carrier requiring preauthorization or step therapy for a specific medication shall provide a website with a list of the medications which require preauthorization and the process required to comply with the pharmacy benefit manager's or health carrier's policies.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Fallert
Harris	Hodges	Holsman	Hummel	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Shively
Sifton	Smith 71	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Colona	Day	Dieckhaus	Ellinger
Hubbard	Hughes	Jones 63	Lair	Leara
McDonald	McGhee	Neth	Phillips	Scharnhorst
Schieffer	Schneider	Schupp	Spreng	Talboy

VACANCIES: 004

House Amendment No. 4 was withdrawn.

On motion of Representative Sater, **HCS SB 284, as amended**, was adopted.

On motion of Representative Sater, **HCS SB 284, as amended**, was read the third time and passed by the following vote:

AYES: 116

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Nasheed	Newman	Nolte	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Spreng	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 028

Anders	Atkins	Carlson	Carter	Ellinger
Holsman	Kander	Kelly 24	Lampe	McCann Beatty
McGeoghegan	McManus	McNeil	Montecillo	Nichols
Oxford	Pace	Pierson	Rizzo	Sifton
Smith 71	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 014

Colona	Day	Dieckhaus	Hughes	Hummel
Jones 63	McDonald	Neth	Phillips	Scharnhorst
Schatz	Schieffer	Schneider	Schupp	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Nance	Newman	Nolte	Parkinson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 022

Anders	Berry	Carlson	Carter	Kander
Lampe	McCann Beatty	McManus	McNeil	Montecillo
Nasheed	Nichols	Oxford	Pace	Pierson
Rizzo	Smith 71	Still	Walton Gray	Webb
Webber	Wieland			

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 012

Day	Dieckhaus	Franz	Hughes	Jones 63
McDonald	Neth	Phillips	Scharnhorst	Schieffer
Schneider	Schupp			

VACANCIES: 004

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 48 - Fiscal Review (Fiscal Note)

HCS#2 SCS SB 117 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 81**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SBs 26 & 106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 62**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 77**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 81**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE APPOINTMENT

May 9, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint myself to the Rules Committee. I intend to only serve on the committee for this week and will deliver you a different appointment letter during the interim.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

LETTER OF RESIGNATION

May 6, 2011

Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to RSMo, 21.090, I hereby submit my resignation, effective immediately, as state representative for the 39th District so that I may take the oath of office as Jackson County Prosecuting Attorney.

I further request, pursuant to the same section, that you immediately notify the Governor of said resignation so that he may call a special election for the 39th District seat in the House of Representatives.

Sincerely,

/s/ Jean Peters-Baker

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Tuesday, May 10, 2011.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, May 11, 2011, 8:00 AM House Hearing Room 3.

Legislative assistants

Member expense account

CONFERENCE COMMITTEE

Tuesday, May 10, 2011, 8:00 AM House Hearing Room 7.

SCS HB 142, as amended

CONFERENCE COMMITTEE

Tuesday, May 10, 2011, 8:30 AM Senate Committee Room 2.

HCS SS#2 SCS SB 8

CONFERENCE COMMITTEE

Tuesday, May 10, 2011, 8:30 AM Bingham Gallery.

HCS SS SB 135

CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 8:30 AM Senate Committee Room 2.

HCS SB 173

CORRECTIONS

Tuesday, May 10, 2011, 12:00 PM House Hearing Room 3.

Informational luncheon meeting at 12:00 noon

FISCAL REVIEW

Tuesday, May 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Wednesday, May 11, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Thursday, May 12, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, May 10, 2011, House Hearing Room 7, upon evening recess or adjournment, whichever is earlier.

Executive session may be held on all bills referred to this committee

HOUSE CALENDAR

SIXTY-NINTH DAY, TUESDAY, MAY 10, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy

2174 *Journal of the House*

- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

SENATE BILLS FOR THIRD READING

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SS SB 202 - Schoeller
- 3 HCS SB 243, E.C. - Dieckhaus
- 4 SCS SB 323, E.C. - Allen
- 5 SB 38 - Carter
- 6 HCS SCS SB 60 - Cox
- 7 SS SCS SB 65 - Jones (89)
- 8 HCS SB 90 - Burlison
- 9 HCS SS SCS SB 132, E.C. - Richardson
- 10 HCS#2 SCS SB 162 - Guernsey
- 11 SS SB 238 - Hinson
- 12 HCS SB 325, E.C. - Smith (150)
- 13 HCS SS SCS SB 351 - Barnes
- 14 HCS SCS SB 356, E.C. - Loehner
- 15 HCS SS SB 360, E.C. - Wyatt
- 16 SS SCS SB 70 - Franz
- 17 HCS#2 SCS SB 117, (Fiscal Review 5-9-11), E.C. - Flanigan
- 18 HCS SB 180 - Torpey
- 19 HCS SS SCS SB 254 - Cox
- 20 HCS SCS SB 17 - Sater
- 21 SCS SBs 26 & 106 - Elmer
- 22 SB 36, E.C. - Scharnhorst
- 23 HCS SB 48, (Fiscal Review 5-9-11), E.C. - Pollock

- 24 HCS SS#2 SCS SB 62 - Sater
- 25 HCS SB 77 - Denison
- 26 SCS SB 81 - Frederick

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 11, (4-21-11, Page 1431) - Franklin

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 186 - Entlicher
- 8 SCS HB 149 - Day
- 9 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 10 SCS HB 256 - Cox
- 11 SCS HCS HB 214 - Zerr
- 12 SS SCS HB 137, as amended, E.C. - Thomson
- 13 SCS HCS HB 641 - Franz
- 14 HCS HB 197, SCA 1 - Jones (63)
- 15 HB 340, SA 1, E.C. - Klippenstein
- 16 SCS HCS HB 250 - Cox
- 17 SS HCS HB 338 - Pollock
- 18 SCS HCS HB 578 - Thomson
- 19 SCS HB 737 - Redmon
- 20 SS SCS HB 282, as amended - Franz

BILLS IN CONFERENCE

- 1 HCS SS#2 SCS SB 8, as amended - Fisher
- 2 HCS SB 173, as amended - Cierpiot
- 3 HCS SB 282, as amended - Dugger
- 4 HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 SCS HB 142, as amended - Gatschenberger
- 6 HCS SB 220, as amended - Diehl
- 7 SCS HB 101, as amended - Loehner
- 8 HCS SB 145, as amended - Gatschenberger
- 9 HCS SB 61, as amended - Nasheed
- 10 HCS SB 322, as amended - Kelly (24)
- 11 HCS SS SB 226, as amended - Franz
- 12 HCS SB 59, as amended - Diehl

VETOED HOUSE BILLS

SS SCS HB 209 - Guernsey

SENATE CONCURRENT RESOLUTIONS

SCR 7, (3-17-11, Page 700) - Jones (89)

HOUSE RESOLUTIONS

HR 1826, (4-27-11, Pages 1649-1650) - Long

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SIXTY-NINTH DAY, TUESDAY, MAY 10, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The eternal God is thy refuge, and underneath are the everlasting arms. (Deuteronomy 33:27)

O God, Who is the refuge and strength of all who put their trust in You, grant us a real measure of Your Holy Spirit as we lift our hearts to You in prayer this morning. You are the Father of all people, and we are Your children. Help us to love You as children ought to love their parents. Help us to love one another as we ought to love one another in all sincerity and truth. In this free land may we learn to live together in peace and good will.

Bless Missouri with Your continued presence, and may our state be Your servant for freedom, and breathe Your peace into our hearts. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Baylee Watts, Hannah Danielle Klippenstein, Mikalah Ann Klippenstein, Addie Von Drehle, Catherine Brooks, Meg Thoma and Laini Reynolds.

The Journal of the sixty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3293 through House Resolution No. 3334

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 117**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813, relating to a memorial bridge, was taken up by Representative Brown (85).

On motion of Representative Brown (85), **SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813** was adopted by the following vote:

AYES: 148

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Brown 50	Hodges	Hughes	McManus
Neth	Parkinson	Quinn	Schupp	Webb
Webber				

VACANCIES: 004

On motion of Representative Brown (85), **SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813** was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandon
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Brown 50	Franz	Hodges	Hough
Hughes	Kelly 24	Lant	Neth	Pollock
Schad	Schupp	Webb	Webber	

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HB 307 & HB 812, relating to a special license plate, was taken up by Representative Gatschenberger.

Speaker Pro Tem Schoeller assumed the Chair.

Speaker Tilley resumed the Chair.

On motion of Representative Gatschenberger, **SCS HB 307 & HB 812** was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 019

Carlson	Kander	Lampe	May	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Pace	Pierson	Schupp	Sifton	Smith 71
Still	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Loehner	Nolte	Schad
Schieber	Torpey	Webb		

VACANCIES: 004

On motion of Representative Gatschenberger, **SCS HB 307 & HB 812** was truly agreed to and finally passed by the following vote:

AYES: 130

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 019

Carlson	Kander	Lampe	May	McGeoghegan
McNeil	Montecillo	Newman	Nichols	Pace
Pierson	Schupp	Sifton	Smith 71	Still
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Carter	Denison	Dugger	Ellinger
Hodges	Hughes	Loehner	McDonald	Nolte

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HB 388, relating to patient information requests, was taken up by Representative Burlison.

On motion of Representative Burlison, **SCS HB 388** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Curtman	Diehl	Franz	Hodges
Hough	Hughes	Jones 117	Koenig	Loehner
Meadows	Phillips	Richardson	Schneider	Shumake
Wright				

VACANCIES: 004

On motion of Representative Burlison, **SCS HB 388** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Atkins	Colona	Hodges	Hughes	Loehner
McCann Beatty	Phillips	Redmon	Richardson	Schad
Schneider	Still			

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HCS HB 631, relating to a developmental disabilities fund, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **SCS HCS HB 631** was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Hodges	Hughes	Molendorp	Redmon
Swearingen	Talboy			

VACANCIES: 004

On motion of Representative Grisamore, **SCS HCS HB 631** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Hodges	Hubbard	Hughes	Molendorp
Swearingen				

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HB 270, as amended, relating to state employees' health benefits, was taken up by Representative Burlison.

On motion of Representative Burlison, **SCS HB 270, as amended**, was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Still

ABSENT WITH LEAVE: 008

Berry	Brown 50	Cierpiot	Hodges	Hughes
Leara	Schieber	Shumake		

VACANCIES: 004

On motion of Representative Burlison, **SCS HB 270, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Still

ABSENT WITH LEAVE: 007

Brown 50	Dieckhaus	Dugger	Hodges	Hughes
Leara	Nolte			

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HB 186, relating to county clerk residency requirements, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **SCS HB 186** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Dieckhaus	Diehl	Franklin	Hodges
Hughes	Leara	Loehner	Parkinson	Zerr

VACANCIES: 004

On motion of Representative Entlicher, **SCS HB 186** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Dieckhaus	Diehl	Franklin	Hodges	Holsman
Hughes	Leara	Zerr		

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HB 149, relating to the Missouri Military Family Relief Fund, was taken up by Representative Day.

On motion of Representative Day, **SCS HB 149** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Hodges	Hughes	Leara	Pollock
Sater	Wells	Zerr		

VACANCIES: 004

On motion of Representative Day, **SCS HB 149** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Hodges	Hughes	Leara	Sater
Schad	Wells	Zerr		

VACANCIES: 004

Speaker Tilley declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 29, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 250, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 29, as amended, relating to professional registration, was taken up by Representative Jones (117).

Representative Jones (117) moved that the House refuse to recede from its position on **HCS SCS SB 29, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

HCS SB 250, as amended, relating to sexual offenders, was taken up by Representative Schad.

Representative Schad moved that the House refuse to recede from its position on **HCS SB 250, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HBs 73 & 47, as amended, relating to temporary assistance benefits, was taken up by Representative Brandom.

Representative Brandom moved that **SS SCS HCS HBs 73 & 47, as amended**, be adopted.

Representative Carlson made a substitute motion that the House refuse to adopt **SS SCS HCS HBs 73 & 47, as amended**, and request the Senate to recede from its position, and, failing to do so, grant the House a conference thereon.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Nolte	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Berry	Brown 116	Grisamore	Hodges	Hughes
Lasater	Long	Molendorp	Quinn	

VACANCIES: 004

Representative Brandom again moved that **SS SCS HCS HBs 73 & 47, as amended**, be adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 116	Hodges	Holsman	Hughes	Jones 117
Klippenstein	Sater	Schneider	Schupp	

VACANCIES: 004

On motion of Representative Brandom, SS SCS HCS HBs 73 & 47, as amended, was adopted by the following vote:

AYES: 119

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 033

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Elmer	Holsman	Hubbard	Hummel
Jones 63	Kirkton	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bahr	Hodges	Hughes	Leara	Long
Nasheed	Schneider			

VACANCIES: 004

On motion of Representative Brandom, **SS SCS HCS HBs 73 & 47, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 113

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Marshall	McCaherty	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 034

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Elmer	Holsman	Hubbard	Hummel
Jones 63	Kirkton	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Franz	Hodges	Hughes	Lant
Leara	Long	Phillips	Redmon	Sater
Schneider	Webber			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 256, relating to the Basic Civil Legal Services Fund, was taken up by Representative Cox.

On motion of Representative Cox, **SCS HB 256** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 27	Cross	Dieckhaus	Flanigan	Grisamore
Hughes	Lant	Leara	McCaherty	McCann Beatty
Phillips	Pollock	Redmon	Schneider	Shively

VACANCIES: 004

On motion of Representative Cox, **SCS HB 256** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Carlson	Cross	Dieckhaus	Flanigan
Grisamore	Hough	Hughes	Lant	Leara
Loehner	McGhee	Newman	Pollock	Schad
Schneider				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 214, relating to human trafficking, was taken up by Representative Zerr.

On motion of Representative Zerr, **SCS HCS HB 214** was adopted by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Flanigan	Hughes	Leara	Parkinson	Schneider
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VACANCIES: 004

On motion of Representative Zerr, **SCS HCS HB 214** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bernskoetter	Flanigan	Hughes	Kelly 24	Leara
Parkinson				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 737, relating to assessment and levy of property tax, was taken up by Representative Redmon.

Representative Redmon moved that the House refuse to adopt **SCS HB 737** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

HOUSE RESOLUTION

HR 1826, relating to women and families, was taken up by Representative Long.

On motion of Representative Long, **HR 1826** was adopted.

RECONSIDERATION

Representative Parkinson, having voted on the prevailing side, moved that the vote by which **HR 1826** was adopted be reconsidered.

Representative Talboy raised a point of order that the motion to reconsider was not timely.

The Chair ruled the point of order not well taken.

The motion to reconsider **HR 1826** was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HJR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 407**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 604**, entitled:

An act to repeal sections 210.112, 210.496, 210.498, 210.565, 211.031, 211.447, and 453.070, RSMo, and to enact in lieu thereof ten new sections relating to parental rights.

In which the concurrence of the House is respectfully requested.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

RECONSIDERATION

Representative Parkinson, having voted on the prevailing side, again moved that the vote by which **HR 1826** was adopted be reconsidered.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swearingen	Swinger
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Anders	Atkins	Black	Carlson	Colona
Conway 27	Harris	Hodges	Hubbard	Hummel
Kander	Kirkton	Kratky	Lampe	McCann Beatty
McDonald	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 022

Aull	Brattin	Brown 50	Brown 116	Carter
Ellinger	Elmer	Haefner	Holsman	Hughes
Jones 63	Keeney	Kelly 24	Lasater	May
McGeoghegan	McGhee	Meadows	Nasheed	Pollock
Taylor	Torpey			

VACANCIES: 004

HOUSE RESOLUTION

HR 1826, relating to women and children, was again taken up by Representative Long.

On motion of Representative Long, **HR 1826** was adopted by the following vote:

AYES: 122

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 025

Atkins	Carlson	Colona	Ellinger	Kander
Kelly 24	May	McCann Beatty	McDonald	McNeil
Montecillo	Newman	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Webber

PRESENT: 006

Anders	Kirkton	Lampe	Nichols	Oxford
Taylor				

ABSENT WITH LEAVE: 006

Berry	Brown 116	Carter	Hughes	Jones 63
McGeoghegan				

VACANCIES: 004

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 29, as amended**: Senators Brown, Dempsey, Crowell, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 250, as amended**: Senators Kehoe, Goodman, Engler, Callahan and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 270, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 284, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 29: Representatives Jones (117), Wells, Frederick, Talboy and Swinger

HCS SB 250: Representatives Schad, Cierpiot, Higdon, Colona and Swearingen

Representative Silvey assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 137, as amended, relating to the transfer of property by universities, was taken up by Representative Thomson.

On motion of Representative Thomson, **SS SCS HB 137, as amended**, was adopted by the following vote:

AYES: 149

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Carter	Flanigan	Hughes	Leara
McGeoghegan	McManus	Neth	Nolte	Wells

VACANCIES: 004

On motion of Representative Thomson, **SS SCS HB 137, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Fitzwater	Flanigan	Hughes	Lasater
Leara	Long	McGeoghegan	Nasheed	Neth
Nolte	Zerr	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 004

Berry	Brattin	Marshall	Wieland
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PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Fitzwater	Funderburk	Hughes	Lasater
McGeoghegan	Nasheed	Neth	Nolte	Reiboldt
Taylor	Mr Speaker			

VACANCIES: 004

SCS HCS HB 641, relating to controlled substances, was taken up by Representative Franz.

On motion of Representative Franz, **SCS HCS HB 641** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 012

Carter	Colona	Curtman	Ellinger	Holsman
Jones 63	Kelly 24	Nasheed	Oxford	Smith 71
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Hough	Hughes	McCaherty	McGeoghegan
Reiboldt	Smith 150	Webb		

VACANCIES: 004

On motion of Representative Franz, **SCS HCS HB 641** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 013

Carter	Colona	Curtman	Ellinger	Holsman
Jones 63	Kelly 24	Nasheed	Oxford	Smith 71
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 003

Hughes	McGeoghegan	McGhee
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VACANCIES: 004

Representative Silvey declared the bill passed.

HCS HB 197, with Senate Committee Amendment No. 1, relating to cord blood banking, was taken up by Representative Jones (63).

On motion of Representative Jones (63), the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Funderburk	Hughes	McGeoghegan	Pollock
Schad	Wells			

VACANCIES: 004

On motion of Representative Jones (63), **HCS HB 197, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Hughes	McGeoghegan	Pace	Webb
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VACANCIES: 004

Representative Silvey declared the bill passed.

HB 340, with Senate Amendment No. 1, relating to county jails, was taken up by Representative Klippenstein.

On motion of Representative Klippenstein, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl	Hughes	McGeoghegan	Nasheed	Mr Speaker
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VACANCIES: 004

On motion of Representative Klippenstein, **HB 340, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Hughes	McGeoghegan	Nasheed	Nolte
Webb	Wells	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McDonald	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Neth	Nichols	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 016

Berry	Carlson	Carter	Colona	Gosen
Kirkton	Marshall	McCann Beatty	McNeil	Newman
Schupp	Swearingen	Taylor	Walton Gray	Webb
Wieland				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 007

Cierpiot	Diehl	Hughes	McGeoghegan	Nasheed
Nolte	Mr Speaker			

VACANCIES: 004

SS HCS HB 338, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **SS HCS HB 338** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 005

Atkins	Carlson	Kirkton	Newman	Schupp
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PRESENT: 001

Lasater

ABSENT WITH LEAVE: 008

Diehl	Ellinger	Flanigan	Hughes	McGeoghegan
Nolte	Phillips	Mr Speaker		

VACANCIES: 004

On motion of Representative Pollock, **SS HCS HB 338** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 006

Atkins	Carlson	Ellinger	Kirkton	Newman
Schupp				

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 010

Diehl	Flanigan	Hughes	Lant	Loehner
McGeoghegan	Nolte	Phillips	Taylor	Mr Speaker

VACANCIES: 004

Representative Silvey declared the bill passed.

SCS HCS HB 578, relating to the disposal of used tires, was taken up by Representative Thomson.

On motion of Representative Thomson, **SCS HCS HB 578** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Atkins	Conway 14	Diehl	Hughes	Klippenstein
McGeoghegan	Nolte	Parkinson	Quinn	Mr Speaker

VACANCIES: 004

On motion of Representative Thomson, **SCS HCS HB 578** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 14	Cookson	Diehl	Hubbard	Hughes
May	McGeoghegan	Nolte	Mr Speaker	

VACANCIES: 004

Representative Silvey declared the bill passed.

SS SCS HB 282, as amended, relating to state employee deferred compensation, was taken up by Representative Franz.

On motion of Representative Franz, **SS SCS HB 282, as amended**, was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Conway 14	Diehl	Hughes	McGeoghegan	Nolte
Mr Speaker				

VACANCIES: 004

On motion of Representative Franz, **SS SCS HB 282, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Conway 14	Diehl	Hoskins	Hughes
Jones 117	Klippenstein	McGeoghegan	Nolte	Talboy

VACANCIES: 004

Representative Silvey declared the bill passed.

SS SCS HCS HB 604, relating to parental rights, was taken up by Representative Long.

Speaker Tilley resumed the Chair.

Representative Silvey resumed the Chair.

On motion of Representative Long, **SS SCS HCS HB 604** was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Dieckhaus	Hughes	Leara	McGeoghegan
Pollock	Mr Speaker			

VACANCIES: 004

On motion of Representative Long, **SS SCS HCS HB 604** was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Dieckhaus	Hughes	McGeoghegan	Nolte
Pollock	Redmon			

VACANCIES: 004

Representative Silvey declared the bill passed.

SCS HB 591, relating to a limited dental teaching license, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **SCS HB 591** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 019

Carlson	Carter	Colona	Hodges	Holsman
Hummel	Jones 63	Kander	May	Nasheed
Oxford	Rizzo	Sater	Schupp	Sifton
Smith 71	Swearingen	Talboy	Walton Gray	

PRESENT: 002

Brown 116	Lasater
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ABSENT WITH LEAVE: 007

Diehl	Ellinger	Hughes	McGeoghegan	Nolte
Shively	Mr Speaker			

VACANCIES: 004

On motion of Representative Lichtenegger, **SCS HB 591** was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 020

Carlson	Carter	Colona	Hodges	Holsman
Hummel	Jones 63	Kander	May	McNary
Nasheed	Oxford	Rizzo	Sater	Schupp
Sifton	Smith 71	Swearingen	Talboy	Walton Gray

PRESENT: 002

Brown 116	Lasater
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ABSENT WITH LEAVE: 006

Diehl	Ellinger	Hughes	McGeoghegan	Nolte
Mr Speaker				

VACANCIES: 004

Representative Silvey declared the bill passed.

SS#2 HB 648, as amended, relating to the developmentally disabled, was taken up by Representative Montecillo.

On motion of Representative Montecillo, **SS#2 HB 648, as amended**, was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 008

Cauthorn	Diehl	Hughes	McGeoghegan	Nolte
Scharnhorst	Thomson	Mr Speaker		

VACANCIES: 004

On motion of Representative Montecillo, **SS#2 HB 648, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 008

Diehl	Hughes	McGeoghegan	Nolte	Scharnhorst
Swearingen	Thomson	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SB 284, as amended, relating to pharmacies, was taken up by Representative Sater.

Representative Sater moved that the House refuse to recede from its position on **HCS SB 284, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 270, as amended, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SCS SB 270, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

SCS SB 323, relating to comparative audits of state agencies, was taken up by Representative Allen.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said section and line, the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.

6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for

a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Rizzo offered **House Amendment No. 2**.

Representative Hoskins raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Talboy offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said line the following:

"4. In addition, a comparative audit of the Missouri House of Representatives and the Missouri Senate shall be performed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 3** was adopted by the following vote:

AYES: 079

Anders	Atkins	Aull	Black	Brattin
Brown 50	Brown 85	Carlson	Carter	Casey
Colona	Conway 27	Cookson	Curtman	Day
Ellinger	Fallert	Fitzwater	Fuhr	Funderburk
Haefner	Harris	Higdon	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Kratky	Lampe	Largent	Lasater
Leach	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wells	Wyatt	

NOES: 073

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Hinson	Hough	Jones 89
Keeney	Klippenstein	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	McNary	Nance	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schoeller	Smith 150	Solon
Stream	Thomson	Wallingford	Weter	White
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Hughes	McGeoghegan	Nolte	Scharnhorst
Schneider	Mr Speaker			

VACANCIES: 004

Representative Jones (63) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said line the following:

“4. If funds are appropriated for the expenses and personnel necessary to perform such comparative audit and if such audit does not produce efficiencies or cost saving measures that reduce the amount of government spending in excess of such appropriation based on the audit findings and recommendations then the auditor’s office appropriated funds shall be reduced by the amount appropriated for such comparative audit in the next fiscal year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flanigan raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Jones (63) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Anders	Atkins	Aull	Black	Brattin
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Cookson	Ellinger	Elmer	Fallert
Fitzwater	Franz	Harris	Hodges	Holsman
Hough	Hubbard	Hummel	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Koenig	Kratky	Lampe	Leach	Loehner
May	McCaherty	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Sater	Schad	Schieber	Schieffer
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Wyatt				

NOES: 075

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Dugger
Entlicher	Fisher	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Houghton	Johnson	Keeney	Klippenstein
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Long	Marshall
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Schatz	Schoeller	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Curtman	Diehl	Funderburk	Hughes
McGeoghegan	McGhee	Nolte	Pollock	Riddle
Scharnhorst	Schneider	Mr Speaker		

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Diehl	Funderburk	Hughes	McGeoghegan
Nolte	Pollock	Schneider	Mr Speaker	

VACANCIES: 004

On motion of Representative Allen, SCS SB 323, as amended, was read the third time and passed by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 048

Anders	Atkins	Aull	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Funderburk	Hughes	McGeoghegan	Pollock
Schneider	Mr Speaker			

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 083

Allen	Asbury	Barnes	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Keeney
Klippenstein	Korman	Lair	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Molendorp	Nance
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
Wright	Wyatt	Zerr		

NOES: 068

Anders	Atkins	Aull	Bahr	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Curtman	Dugger	Ellinger
Fallert	Fuhr	Gosen	Harris	Higdon
Hodges	Holsman	Hubbard	Hummel	Jones 63
Jones 89	Kander	Kelley 126	Kelly 24	Kirkton
Koenig	Kratky	Lampe	Leach	Marshall
May	McCaherty	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	White	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Funderburk	Hughes	Jones 117	McGeoghegan
Nasheed	Schneider	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS SB 270: Representatives Dugger, Wells, Smith (150), Conway (27) and Newman

Representative Silvey resumed the Chair.

THIRD READING OF SENATE BILLS

SB 38, relating to prostate cancer pilot programs, was taken up by Representative Carter.

On motion of Representative Carter, **SB 38** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl Dugger Funderburk Hough Hughes
McGeoghegan

VACANCIES: 004

Representative Silvey declared the bill passed.

Speaker Tilley resumed the Chair.

HCS SS SB 202, relating to payroll deductions for political contributions, was taken up by Representative Schoeller.

Representative Fisher offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 2, Section 130.028, Line 48, by inserting after all of said section and line, the following:

“6. Notwithstanding other provisions of the law to the contrary, it shall be unlawful for a public entity or the state to discriminate against or otherwise penalize, punish, or refuse to allow to bid or award a public works contract to a bidder based on the bidders union affiliation or non- union affiliation or agreements to or with unions or non-union entities. The act of discriminating against a bidder based on union or non-union affiliation is a class C misdemeanor and a fine up to \$5,000 shall be levied.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 1** was adopted.

Representative Jones (117) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 1, Section A, Line 2, by inserting after all of said line the following:

"105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection 4 of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term "state employee" means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours **at any time during the year**.

4. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee's department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

5. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

6. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department's personal service fund.

7. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Flanigan	Funderburk	Hughes	Leara
McGeoghegan	McNary	Nolte		

VACANCIES: 004

On motion of Representative Jones (117), **House Amendment No. 2** was adopted by the following vote:

AYES: 124

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	McCaherty
McDonald	McGhee	McManus	Meadows	Molendorp
Nance	Neth	Newman	Nolte	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 025

Anders	Atkins	Carlson	Colona	Ellinger
Hampton	Hubbard	Hummel	Lampe	Marshall
May	McCann Beatty	McNeil	Montecillo	Nasheed
Nichols	Pace	Phillips	Pierson	Schupp
Sifton	Smith 71	Spreng	Webb	Wright

PRESENT: 002

Oxford	Walton Gray
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ABSENT WITH LEAVE: 008

Diehl	Dugger	Flanigan	Funderburk	Hughes
Leara	McGeoghegan	McNary		

VACANCIES: 004

Representative Barnes offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 2, Section 130.028, Line 48, by inserting after all of said line the following:

"429.010. 1. Any person who shall do or perform any work or labor upon land, rent any machinery or equipment, or use any rental machinery or equipment, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing, grading, excavating, or filling of the same, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his or her agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, upon complying with the provisions of sections 429.010 to 429.340, shall have for his or her work or labor done, machinery or equipment rented or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or commercial purposes and not within any city, town or village, then such lien shall be upon such building, erection or improvements, and the lot, tract or parcel of land upon which the same are situated, and not limited to the extent of three acres, to secure the payment of such work or labor done, machinery or equipment rented, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any type of landscaping goods or services furnished, or outdoor irrigation systems installed; except that if such building, erection or improvements be not within the limits of any city, town or village, then such lien shall be also upon the land to the extent necessary to provide a roadway for ingress to and egress from the lot, tract or parcel of land upon which such building, erection or improvements are situated, not to exceed forty feet in width, to the nearest public road or highway. Such lien shall be enforceable only against the property of the original purchaser of such plants unless the lien is filed against the property prior to the conveyance of such property to a third person. For claims involving the rental of machinery or equipment to others who use the rental machinery or equipment, the lien shall be for the reasonable rental value of the machinery or equipment during the period of actual use and any periods of nonuse taken into account in the rental contract, while the machinery or equipment is on the property in question.

2. There shall be no lien involving the rental of machinery or equipment unless:

- (1) The improvements are made on commercial property;
- (2) The amount of the claim exceeds five thousand dollars; and

(3) The party claiming the lien provides written notice within five business days of the commencement of the use of the rental machinery or equipment to the property owner that rental machinery or equipment is being used upon their property. Such notice shall identify the name of the entity that rented the machinery or equipment, the machinery or equipment being rented, and the rental rate. Nothing contained in this subsection shall apply to persons who use rented machinery or equipment in performing the work or labor described in subsection 1 of this section.

3. (1) No lien shall be permitted on behalf of a collective bargaining unit fringe benefit fund with respect to all employee benefits, dues, and fringe costs arising out of the performance of work by a subcontractor or a lower tier subcontractor unless:

(a) a. The subcontractor or lower tier subcontractor is delinquent, which means being at least thirty days late, in making timely payments of employee benefits, dues, or fringe costs to the fund.

b. If the fund has actual knowledge that the delinquency relates to work performed on a particular project, the fund shall advise the original contractor for the project in question in writing of the fact of such delinquency, identifying the subcontractor or lower tier subcontractor at issue and an approximation of the amount of the obligation at issue within fifteen days after the subcontractor or lower tier subcontractor at issue becomes delinquent in payment.

c. If the fund does not have the actual knowledge described in subparagraph b. of this paragraph at a time that will permit it to comply with the timing requirements of subparagraph b. of this paragraph, the fund shall provide the written notice required by subparagraph b. of this paragraph within ten days after the fund acquires such actual knowledge.

d. An original contractor or subcontractor may make a request in writing for a written confirmation from the fund confirming that for a specific subcontractor or any of its specifically identified lower tier subcontractors with respect to a specifically identified project, all employee benefits, dues, and fringe costs arising out of the performance of the work on such project by the subcontractor and all of its lower tier subcontractors otherwise due to the fund have been paid. Such written requests shall be deemed effective if sent by certified mail, return receipt requested. The fund shall respond in writing by certified mail, return receipt requested, to such a request for confirmation within ten days of the fund's receipt of the request; and

(b) The fund has timely and accurately responded to any request for confirmation made under the terms of paragraph (a) of this subdivision.

(2) The obligations of this subsection shall apply with equal force and effect to like claims by a fund under a payment bond issued by an original contractor on a construction project, regardless of whether such construction project is a private project or a public works project."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS SS SB 202, as amended, with House Amendment No. 3, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 38**, entitled:

An act to repeal section 71.220, RSMo, and to enact in lieu thereof two new sections relating to jails.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SB 3, as amended**, and has taken up and passed **HCS#2 SB 3, as amended**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 284: Representatives Sater, Smith (150), Weter, Jones (63) and Swinger

THIRD READING OF SENATE BILL

HCS SS SB 202, as amended, with House Amendment No. 3, pending, relating to payroll deductions for political contributions, was again taken up by Representative Schoeller.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Flanigan	Funderburk	Hughes	Lasater
McGeoghegan	Nolte			

VACANCIES: 004

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

2242 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Funderburk	Hughes	Lasater	McGeoghegan
Nolte				

VACANCIES: 004

On motion of Representative Schoeller, **HCS SS SB 202, as amended**, was adopted.

On motion of Representative Schoeller, **HCS SS SB 202, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	McNary	Nance
Neth	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Stream	Thomson	Torpey	Wells
Weter	White	Wyatt	Mr Speaker	

NOES: 068

Anders	Atkins	Aull	Berry	Black
Carlson	Carter	Casey	Colona	Conway 27
Curtman	Ellinger	Fallert	Fitzwater	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Korman	Kratky
Lampe	Leara	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schneider
Schupp	Shively	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Wallingford	Walton Gray	Webb
Webber	Wieland	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Funderburk	Hughes	Lasater	McGeoghegan
Nolte	Zerr			

VACANCIES: 004

Speaker Tilley declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 68**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 161**, entitled:

An act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, 67.1006, 67.1303, 67.1956, 94.900, and 181.060, RSMo, and to enact in lieu thereof nine new sections relating to certain taxes imposed by local governments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 737** and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 737: Representatives Redmon, Funderburk, Houghton, Holsman and Quinn

THIRD READING OF SENATE BILL

HCS SCS SB 60, relating to judicial procedures, was taken up by Representative Cox.

Representative Schoeller resumed the Chair.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 8, Section 221.025, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

“221.025. 1. As an alternative to confinement, an individual may be placed on electronic monitoring pursuant to subsection 1 of section 544.455 or subsection 6 of section 557.011, but subject to any minimum

sentence requirement of subsection 6 of section 577.023, with such terms and conditions as a court shall deem just and appropriate under the circumstances.

2. A judge may, in his or her discretion, credit any such period of electronic monitoring against any period of confinement or incarceration ordered, however, electronic monitoring shall not be considered to be in custody or incarceration for purposes of eligibility for the MOHealthNet program, nor shall it be considered confinement in a correctional center or private or county jail for purposes of determining responsibility for the individual's health care.

3. The circuit court may contract with a private company to provide electronic monitoring services pursuant to this section and any private company which provides such electronic monitoring services shall certify to the circuit court the number of days that any individual was electronically monitored.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) assumed the Chair.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Section 56.089, Page 6, Line 93, by inserting after all of said line the following:

“15. Notwithstanding any other provision of this section, a court or prosecutor may not allow the holder of a commercial driver's license to enter a diversion program that results in declining to file charges or dismissing charges for a violation of the vehicle and traffic law related to the operation of a motor vehicle, or a violation of local law, rule or ordinance related to the operation of a motor vehicle, when such offense was committed by the holder of a commercial driver's license or was committed in a commercial motor vehicle, as defined in section 302.700.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

HCS SCS SB 60, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 59, as amended**, and has taken up and passed **CCS HCS SB 59**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 282, as amended**, and has taken up and passed **CCS HCS SB 282**.

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 54**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 177**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 230**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 337**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 3196 - Rules

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 54 - Fiscal Review (Fiscal Note)

HCS SCS SB 177 - Fiscal Review (Fiscal Note)

HCS SCS SB 230 - Fiscal Review (Fiscal Note)

COMMUNICATION

May 10, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Room 306
Jefferson City, MO 65101

RE: SS SCS HCS HB 161

Dear Chief Clerk,

This is to notify you that I have a potential conflict of interest regarding the above bill as it relates to a variety of hotel taxes in different counties.

I still work as the Director of Security for Drury Hotels Company, LLC, which may be impacted by this bill.

Therefore, I will vote present if this bill comes to the floor.

Sincerely,

Gary Fuhr
97th District

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 101**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 101, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 101, as amended;
2. That the House recede from its position on House Bill No. 101;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 101, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Tom Loehner
/s/ Paul Fitzwater
/s/ Delus Johnson
/s/ Paul Quinn
/s/ Mike Talboy

FOR THE SENATE:

/s/ Jane Cunningham
/s/ Luann Ridgeway
/s/ Jim Lembke
/s/ Jolie Justus
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 142**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 142, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, and Senate Amendment No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 142, as amended;
2. That the House recede from its position on House Bill No. 142;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 142, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Chuck Gatschenberger
/s/ John Diehl
/s/ Jeannie Lauer
/s/ Paul Quinn
/s/ Sylvester Taylor, II

FOR THE SENATE:

/s/ Tom Dempsey
/s/ Robert Mayer
/s/ Mike Parson
/s/ Ryan McKenna
/s/ Shalonn (Kiki) Curls

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 8**

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, as amended;

2. The Senate recede from its position on Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Jason G. Crowell
/s/ David Pearce
/s/ Victor Callahan
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Tim Meadows
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 59**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 59, with House Amendment Nos. 1, 2, 3, 4, 5 & 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 59, as amended;

2. The Senate recede from its position on Senate Bill No. 59;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 59, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny
/s/ Jack Goodman
/s/ Jason Crowell
/s/ Luann Ridgeway
/s/ Jolie Justus

FOR THE HOUSE:

/s/ John Diehl
/s/ Stanley Cox
/s/ Caleb Jones
/s/ Chris Kelly
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 135**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 135, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 135, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 135;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 135, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Brad Lager
/s/ Brian Munzlinger
/s/ Jolie Justus
/s/ Timothy Green

FOR THE HOUSE:

/s/ Timothy Jones
/s/ Don Ruzicka
/s/ Darrell Pollock
/s/ Jason Holsman
/s/ Michael Brown

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 282**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 282, with House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 282, as amended;
2. The Senate recede from its position on Senate Bill No. 282;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler
/s/ Jay Wasson
/s/ Ron Richard
/s/ Jolie Justus
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Jason Smith
/s/ Stanley Cox
/s/ Pat Conway
/s/ Stacey Newman

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Wednesday, May 11, 2011.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Jeannie Lauer, District 54, hereby state and affirm that my vote as recorded on Page 1953 of the Journal of the House for Thursday, May 5, 2011, to third read and pass CCS SCS HCS HB 5, was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2011.

/s/ Jeannie Lauer
State Representative

State of Missouri)
) ss.
Signed in County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2011.

/s/ Patricia G. Pleus
Notary Public

I, State Representative Clem Smith, District 71, hereby state and affirm that my vote as recorded on Page 1952 of the Journal of the House for Thursday, May 5, 2011, to adopt CCR SCS HCS HB 5, was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2011.

/s/ Clem Smith
State Representative

State of Missouri)
) ss.
Signed in County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2011.

/s/ Patricia G. Pleus
Notary Public

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, May 11, 2011, 8:00 AM House Hearing Room 3.

Legislative assistants

Member expense account

CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 8:30 AM Senate Committee Room 2.

HCS SB 173

CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 9:00 AM Senate Lounge.

HCS SS SB 226

CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 12:00 PM Senate Conference Room 1.

HCS SB 250, as amended

CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 1:30 PM Senate Committee Room 2.

HCS SS SB 29, as amended

ECONOMIC DEVELOPMENT

Wednesday, May 11, 2011, House Hearing Room 1, upon evening recess or adjournment, whichever is earlier.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 11, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Thursday, May 12, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

FISCAL REVIEW

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, May 11, 2011, House Hearing Room 7, 30 minutes following evening recess or adjournment, whichever is earlier.

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY, MAY 11, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)

- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

SENATE BILLS FOR THIRD READING

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SB 243, E.C. - Dieckhaus
- 3 HCS SCS SB 60, as amended - Cox
- 4 SS SCS SB 65 - Jones (89)
- 5 HCS SB 90 - Burlison
- 6 HCS SS SCS SB 132, E.C. - Richardson
- 7 HCS#2 SCS SB 162 - Guernsey
- 8 SS SB 238 - Hinson
- 9 HCS SB 325, E.C. - Smith (150)
- 10 HCS SS SCS SB 351 - Barnes
- 11 HCS SCS SB 356, E.C. - Loehner
- 12 HCS SS SB 360, E.C. - Wyatt
- 13 SS SCS SB 70 - Franz
- 14 HCS#2 SCS SB 117, E.C. - Flanigan
- 15 HCS SB 180 - Torpey
- 16 HCS SS SCS SB 254 - Cox
- 17 HCS SCS SB 17 - Sater
- 18 SCS SBs 26 & 106 - Elmer
- 19 SB 36, E.C. - Scharnhorst
- 20 HCS SB 48, (Fiscal Review 5-9-11), E.C. - Pollock
- 21 HCS SS#2 SCS SB 62 - Sater
- 22 HCS SB 77 - Denison
- 23 SCS SB 81 - Frederick
- 24 SCS SB 54, (Fiscal Review 5-10-11) - Kelly (24)
- 25 HCS SCS SB 177, (Fiscal Review 5-10-11) - Sater
- 26 HCS SCS SB 213 - Barnes
- 27 HCS SCS SB 230, (Fiscal Review 5-10-11), E.C. - Ruzicka

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 11, (4-21-11, Page 1431) - Franklin

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 2 SCS HCS HB 250 - Cox
- 3 SCS HCS HB 38 - Pace
- 4 SS SCS HCS HB 161 - Cox

BILLS IN CONFERENCE

- 1 CCR HCS SS#2 SCS SB 8, as amended - Fisher
- 2 HCS SB 173, as amended - Cierpiot
- 3 CCR HCS SB 282, as amended - Dugger
- 4 CCR HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 CCR SCS HB 142, as amended - Gatschenberger
- 6 HCS SB 220, as amended - Diehl
- 7 CCR SCS HB 101, as amended - Loehner
- 8 HCS SB 145, as amended - Gatschenberger
- 9 HCS SB 61, as amended - Nasheed
- 10 HCS SB 322, as amended - Kelly (24)
- 11 HCS SS SB 226, as amended - Franz
- 12 CCR HCS SB 59, as amended - Diehl
- 13 HCS SCS SB 29, as amended - Jones (117)
- 14 HCS SB 250, as amended - Schad
- 15 HCS SB 284, as amended, E.C. - Sater
- 16 HCS SCS SB 270, as amended - Dugger
- 17 SCS HB 737 - Redmon

VETOED HOUSE BILLS

SS SCS HB 209 - Guernsey

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 7, (3-17-11, Page 700) - Jones (89)
- 2 SCR 12, (5-3-11, Page 1782) - Higdon

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTIETH DAY, WEDNESDAY, MAY 11, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

These things have I spoken unto you, that my joy may remain in you and that your joy might be full. (John 15:11)

O God, Whose light never fades, Whose love never fails, and Whose life never dies - as we open the windows of our hearts to You in prayer this morning, may we be filled with the glory of Your presence, with the greatness of Your spirit, and with the grandeur of Your grace.

Grant unto us the royalty of an inward happiness and the serenity of mind which comes from living close to You. Daily renew in us the sense of joy and let Your eternal spirit dwell in our minds and bodies, filling every corner of our hearts with light and grace, so that we may be diffusers of life and may meet all ills and accidents with happiness giving You thanks always for all things. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-ninth day was approved as printed.

SPECIAL RECOGNITION

The Stockton Lady Tigers Basketball Team was introduced by Representative Entlicher and recognized for attaining the 2010-2011 Class 3 State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3335 through House Resolution No. 3370

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 48** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 54** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 177** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 230** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SS SCS SB 132, relating to specialty lines insurance contracts, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Page 11, Section 385.206, Line 20, by deleting the words, "**and/or authorized representatives**"; and

Further amend said bill, Page 13, Section 385.207, Line 2, by inserting after the number, "**(6)**" the following word and number, "**or (7)**"; and

Further amend said section, Page 14, Line 10, by deleting the word, "**and**"; and

Further amend said page, section and line, by inserting after the second occurrence of the word, "**entity**" the following words, "**and information related to section 385.209 as required by the director**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative Molendorp offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Section A, Page 1, Line 5, by inserting after all of said section and line the following:

"379.1500. As used in sections 379.1500 to 379.1550, the following terms shall mean:

(1) "Director", the director of the department of insurance, financial institutions and professional registration;

(2) "Insurance company" or "insurer", any person, reciprocal exchange, interinsurer, or any other legal entity licensed and authorized by the director to write inland marine coverage;

(3) "Insurance producer" or "producer", a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance;

(4) "License", the same meaning as such term is defined in section 375.012;

(5) "Location", any physical location in this state or any website, call center site, or similar location directed to residents of this state;

(6) "Person", an individual or business entity;

(7) "Portable electronics", electronic devices that are portable in nature, their accessories, and services related to the use of the device. Portable electronics does not include telecommunication and cellular equipment used by a telecommunication company to provide telecommunication service to consumers;

(8) "Portable electronics insurance", an insurance policy issued by an insurer which may be offered on a month-to-month or other periodic basis as a group or master commercial inland marine policy issued to a

vendor of portable electronics under which individual customers may elect to enroll for coverage for the repair or replacement of portable electronics which may cover portable electronics against any one or more of the following causes of loss: loss, theft, mechanical failure, malfunction, damage, or other applicable perils, but does not include:

- (a) A service contract governed by sections 385.300 to 385.321;
- (b) A policy of insurance covering a seller's or manufacturer's obligations under a warranty; or
- (c) A homeowner's, renter's, private passenger automobile, commercial multiperil, similar policy, or endorsement to such policy that covers any portable electronics;
- (9) "Portable electronics insurance license", a license to sell or solicit portable electronics insurance;
- (10) "Portable electronics transaction", the sale or lease of portable electronics by a vendor to a customer or the sale of a service related to the use of portable electronics by a vendor to a customer;
- (11) "Negotiate", the same meaning as such term is defined in section 375.012;
- (12) "Sell", the same meaning as such term is defined in section 375.012;
- (13) "Solicit", the same meaning as such term is defined in section 375.012;
- (14) "Supervising business entity", the insurer or a licensed business entity producer designated by the insurer to supervise the actions of a vendor;
- (15) "Vendor", a person in the business of engaging in portable electronics transactions directly or indirectly.

379.1505. 1. No vendor shall sell or solicit portable electronics insurance coverage in this state unless such vendor has obtained a portable electronics insurance license.

2. A vendor applying for a portable electronics insurance license shall make application to the director on the prescribed form as required. On the prescribed form, the vendor shall be required to provide the name for an employee or officer of the vendor that is designated by the vendor as the person responsible for the vendor's compliance with the requirements of this section and such designated responsible person shall not be required to hold an insurance producer license. Such license shall authorize an employee or authorized representative of a vendor to sell or offer coverage under a policy of portable electronics insurance to a customer at each location at which the vendor engages in a portable electronics transaction.

3. Any vendor licensed under sections 379.1500 to 379.1550 shall pay an initial license fee to the director in an amount prescribed by the director by rule, but not to exceed one thousand dollars, and shall pay a renewal fee in an amount prescribed by the director by rule, but not to exceed five hundred dollars. License fees shall be deposited in the insurance dedicated fund.

4. Notwithstanding any provision of sections 375.012 to 375.018, a portable electronics insurance license, if not renewed by the director by its expiration date, shall terminate on its expiration date and shall not after such date authorize its holder to sell or solicit any portable electronics insurance under sections 379.1500 to 379.1550.

379.1510. 1. A vendor shall have the obligation to ensure that every location that is authorized to sell, solicit, or negotiate portable electronics insurance to customers shall have specific brochures and actual policies or certificates of coverage available to prospective customers which:

- (1) Disclose that portable electronics insurance may provide a duplication of coverage already provided by a customer's homeowner's, renter's, or other source of coverage, and that the portable electronics insurance coverage is primary over any other collateral coverage;
- (2) State that the enrollment by the customer in a portable electronics insurance program is not required in order to purchase or lease portable electronics or services;
- (3) Summarize the material terms of the insurance coverage, including:
 - (a) The identity of the insurer;
 - (b) The identity of the supervising business entity;
 - (c) The amount of any applicable deductible and how it is to be paid;
 - (d) Benefits of the coverage; and
 - (e) Key terms and conditions of coverage, such as whether portable electronics may be repaired or replaced with similar make and model reconditioned or nonoriginal manufacturer parts or equipment;
- (4) Summarize the process for filing a claim, including any requirement to return portable electronics and the maximum fee applicable in the event the customer fails to comply with any equipment return requirements; and
- (5) State that the customer may cancel enrollment for coverage under a portable electronics insurance policy at any time and receive a refund of any unearned premium on a pro rata basis.

2. Eligibility and underwriting standards for customers electing to enroll in coverage shall be established for each portable electronics insurance program. Each insurer shall maintain all eligibility and underwriting records for a period of five years. Portable electronics insurance issued under sections 379.1500 to 379.1550 shall be deemed primary coverage over any other collateral coverage.

3. Insurers offering portable electronics insurance coverage through vendors shall appoint a supervising business entity to supervise the administration of the program. The supervising business entity shall be responsible for the development of a training program for employees and authorized representatives of a vendor, and shall include basic instruction about the portable electronics insurance offered to customers and the disclosures required under this section.

4. Insurers and applicable supervising business entities offering portable electronics insurance shall share all complaint, grievance, or inquiries regarding any conduct that is specific to a vendor and that may not comply with applicable state laws and regulations.

5. A supervising business entity shall maintain a registry of vendor locations which are authorized to sell or solicit portable electronics insurance coverage in this state. Upon request by the director and with ten days' notice to the supervising business entity, the registry shall be open to inspection and examination by the director during regular business hours of the supervising business entity.

6. Within thirty days of a supervising business entity terminating a vendor location's appointment to sell or solicit portable electronics insurance, the supervising business entity shall update the registry with the effective date of termination. If a supervising business entity has possession of information relating to any cause for discipline under section 375.141, the supervising business entity shall notify the director of such information in writing. The privileges and immunities applicable to insurers under section 375.022 shall apply to supervising business entities for any information reported under this subsection.

7. The supervising business entity shall not charge a fee for adding or removing a vendor location from the registry.

8. No employee or authorized representative of a vendor shall advertise, represent, or otherwise hold himself or herself out as an insurance producer, unless such employee or authorized representative is otherwise licensed as an insurance producer.

9. The training required in subsection 3 of this section shall be delivered to all employees and authorized representatives of the vendors who are directly engaged in the activity of selling portable electronics insurance in this state. The training may be provided in electronic form. However, if conducted in an electronic form, the supervising business entity shall implement a supplemental education program regarding the portable electronics insurance product that is conducted and overseen by licensed employees of the supervising business entity.

10. The charges for portable electronics insurance coverage may be billed and collected by the vendor. Any charge to the customer that is not included in the cost associated with the purchase or lease of portable electronics or related services shall be separately itemized on the customer's bill. If the portable electronics insurance is included in the purchase or lease of portable electronics or related services, the vendor shall clearly and conspicuously disclose to the customer that the portable electronics insurance coverage is included with the portable electronics or related services. Vendors billing and collecting such charges shall not be required to maintain such funds in a segregated account, provided that the insurer authorized the vendor to hold such funds in an alternative manner and remits such amounts to the supervising business entity within forty-five days of receipt. All funds received by a vendor from a customer for the sale of portable electronics insurance shall be considered funds held in trust by the vendor in a fiduciary capacity for the benefit of the insurer. Vendors shall maintain all records related to the purchase of portable electronics insurance for a period of three years from the date of purchase.

379.1515. Persons licensed as vendors shall be subject to the provisions of sections 375.012 to 375.014, 375.018, 375.031, 375.046, 375.051, 375.052, 375.071, 375.106, 375.116, 375.141, and 375.144 of the insurance producers act.

379.1520. 1. The director may suspend, revoke, refuse to issue, or refuse to issue any license or renew any license required by the provisions of sections 379.1500 to 379.1550 for any reason listed in section 375.141 or for any one or more of the following causes:

(1) Use of any advertisement or solicitation that is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(2) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;

(3) Violation of any professional trust or confidence.

2. The director may impose other penalties that the director deems necessary and reasonable to carry out the purposes of sections 379.1500 to 379.1550, including:

(1) Suspending the privilege of transacting portable electronics insurance under sections 379.1500 to 379.1550 at specific locations where violations have occurred; and

(2) Suspending or revoking the ability of individual employees or authorized representatives to act under the license.

379.1525. Vendors shall be subject to the investigation and examination provisions of section 374.190.

379.1530. Premiums received by a vendor or supervising business entity shall be deemed received by the insurer. Insurers may require consumers to provide proof of purchase.

379.1535. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice, or course of business constituting a violation of sections 379.1500 to 379.1550 or rule adopted or order issued thereunder, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 379.1500 to 379.1550, or a rule adopted or order issued thereunder, the director may:

(1) Issue such administrative orders as authorized under section 374.046; or

(2) Maintain a civil action for relief authorized under section 374.048.

A violation of sections 379.1500 to 379.1550 or rule adopted or order issued thereunder is a level two violation under section 374.049.

379.1540. The license of a supervising business entity may be suspended, revoked, renewal refused, or an application refused if the director finds that a violation by a portable electronics insurance vendor was known or should have been known by the supervising business entity and the violation was neither reported to the director nor correction action taken. A violation of this section is a level three violation under section 374.049.

379.1545. Notwithstanding any other provision of law:

(1) An insurer may terminate or otherwise change the terms and conditions of a policy of portable electronics insurance only upon providing the policyholder and enrolled customers with at least thirty days' notice;

(2) If the insurer changes the terms and conditions of a policy of portable electronics insurance, the insurer shall provide the vendor and any policyholders with a revised policy or endorsement and each enrolled customer with a revised certificate, endorsement, updated brochure, or other evidence indicating a change in the terms and conditions has occurred and a summary of material changes;

(3) Notwithstanding subdivision (1) of this section, an insurer may terminate an enrolled customer's enrollment under a portable electronics insurance policy upon fifteen days' notice for discovery of fraud or material misrepresentation in obtaining coverage or in the presentation of a claim thereunder;

(4) Notwithstanding subdivision (1) of this section, an insurer may immediately terminate an enrolled customer's enrollment under a portable electronics insurance policy:

(a) For nonpayment of premium;

(b) If the enrolled customer ceases to have an active service with the vendor of portable electronics; or

(c) If an enrolled customer exhausts the aggregate limit of liability, if any, under the terms of the portable electronics insurance policy and the insurer sends notice of termination to the customer within thirty calendar days after exhaustion of the limit. However, if the notice is not timely sent, enrollment and coverage shall continue notwithstanding the aggregate limit of liability until the insurer sends notice of termination to the enrolled customer;

(5) Where a portable electronics insurance policy is terminated by a policyholder, the policyholder shall mail or deliver written notice to each enrolled customer advising the customer of the termination of the policy and the effective date of termination. The written notice shall be mailed or delivered to the customer at least thirty days prior to the termination;

(6) Whenever notice is required under this section, it shall be in writing and may be mailed or delivered to the vendor at the vendor's mailing address and to its affected enrolled customers' last known mailing addresses on file with the insurer. If notice is mailed, the insurer or vendor, as the case may be, shall maintain proof of

mailing in a form authorized or accepted by the U.S. Postal Service or other commercial mail delivery service. Alternatively, an insurer or vendor policyholder may comply with any notice required by this section by providing electronic notice to a vendor or its affected enrolled customers, as the case may be, by electronic means. Additionally, if an insurer or vendor policyholder provides electronic notice to an affected enrolled customer and such delivery by electronic means is not available or is undeliverable, the insurer or vendor policyholder shall provide written notice to the enrolled customer by mail in accordance with this section. If notice is accomplished through electronic means, the insurer or vendor of portable electronics, as the case may be, shall maintain proof that the notice was sent.

379.1550. 1. The director may promulgate rules to implement the provisions of sections 379.1500 to 379.1550. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 379.1500 to 379.1550 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 379.1500 to 379.1550 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

2. The provisions of sections 379.1500 to 379.1550 shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Tilley assumed the Chair.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Gosen offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Page 1, Section A, Line 5, by inserting after all of said section the following:

“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises of the insurer’s base of operations within the disaster area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 3** was adopted.

Representative Molendorp offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Section A, Page 1, Line 6, by inserting after all of said section and line the following:

“375.916. 1. When by the laws of any other state or foreign country any premium or income or other taxes, or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions are imposed

upon Missouri insurance companies or carriers doing business, or that might seek to do business, in the other state or country, which in the aggregate are in excess of the taxes, fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions directly imposed upon insurance companies of the other state or foreign country under the statutes of this state, so long as the laws continue in force, the same obligations, prohibitions, and restrictions of whatever kind shall be imposed upon insurance companies or carriers of the other state or foreign country doing business in Missouri. Any tax, license or other obligation imposed by any city, county or other political subdivision of a state or foreign country on Missouri insurance companies or carriers shall be deemed to be imposed by the state or foreign country within the meaning of this section, and the director of the department of insurance, financial institutions and professional registration for the purpose of this section shall compute the burden of the tax, license or other obligations on an aggregate statewide or foreign-countrywide basis as an addition to the tax and other charges payable by similar Missouri insurance companies or carriers in the state or foreign country. The provisions of this section shall not apply to ad valorem taxes on real or personal property, personal income taxes or to assessments on or credits to insurers for the payment of claims of policyholders of insolvent insurers. **An insurance company claiming a state premium tax credit or deduction shall not be required to pay any additional retaliatory tax levied pursuant to this section as a result of claiming such credit or deduction.**

2. All licenses, fees, taxes, fines or penalties collectible under this section shall be paid to the director of revenue. The payment and assessment of retaliatory tax shall be made on an estimated quarterly basis in the same manner as premium insurance tax as provided in sections 148.310 to 148.461.

3. **Effective January 1, 2012, notwithstanding any other provision of law to the contrary, operating assessments based upon workers compensation paid losses that are imposed upon an insurance company by the laws of its state or foreign country of domicile shall not be considered any premium or income or other taxes or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions, provided that with respect to the tax year in question the insurance company has its principal place of business within this state and receives more than three million dollars of direct insurance premiums on account of business done in this state.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 4** was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle

2262 *Journal of the House*

Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Wieland

ABSENT WITH LEAVE: 006

Dieckhaus	Hughes	Jones 89	McGeoghegan	Schatz
Webber				

VACANCIES: 004

On motion of Representative Richardson, **HCS SS SCS SB 132, as amended**, was adopted.

On motion of Representative Richardson, **HCS SS SCS SB 132, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 002

Sifton	Wieland
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ABSENT WITH LEAVE: 010

Dieckhaus	Diehl	Gatschenberger	Hughes	Jones 117
McDonald	McGeoghegan	Sater	Schatz	Webber

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	May	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 003

McCaherty Sifton Wieland

ABSENT WITH LEAVE: 013

Allen Burlison Dieckhaus Diehl Gatschenberger
Hughes Kelly 24 Lair Long McGeoghegan
Schatz Webb Webber

VACANCIES: 004

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SB 187** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Smith (150) assumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 60, as amended, relating to judicial procedures, was taken up by Representative Cox.

Representative Barnes offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 39, Section 475.060, Line 74, by inserting after all of said section and line the following:

“475.061. 1. Any person may file a petition in the probate division of the circuit court of the county of proper venue for the appointment of himself or some other qualified person as conservator of the estate of a minor or disabled person. The petition shall contain the same allegations as are set forth in subdivisions (1), (8), and (10) **of subsection 2** of section 475.060 with respect to the appointment of a guardian for an incapacitated person and, in addition thereto, an allegation that the respondent is unable by reason of some specific physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the respondent lacks ability to manage his financial resources or that the respondent is under the age of eighteen years.

2. A petition for appointment of a conservator or limited conservator of the estate may be combined with a petition for appointment of a guardian or limited guardian of the person. In such a combined petition allegations need not be repeated.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Schoeller offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 7, Section 56.807, Line 60, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 51, Section 488.026, Line 12, by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 4** was adopted.

Representative Nance offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 12, Section 302.321, Line 30, by inserting after all of said section and line the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

3. **The governing body of each fourth class city or village with over one hundred thousand dollars in traffic revenues in the previous year in this state shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general operating revenue for the year, in such summary form as the state courts administrator's office shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. Within thirty days of receipt of payment of the excess revenues, the director of the department of revenue shall disburse the excess to the proper schools, as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.]

4. **The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective**

date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. In the event a city, town, or village fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount of ten percent of excess revenues required to be submitted that were not submitted, with such penalty to be distributed to the local schools where the moving violation occurred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 5** was adopted.

Representative Ruzicka offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 51, Section 488.432, Line 11, by inserting after all of said section and line the following:

“488.5026. 1. [Upon approval of the governing body of a city, county, or a city not within a county,] A surcharge of two dollars shall be assessed **and collected** as costs in each court proceeding filed in any court in any city, county, or city not within a county [adopting such a surcharge,] in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate Security Fund". Funds deposited shall be utilized to develop **information sharing and** biometric verification systems to ensure that inmates can be properly identified **upon booking** and tracked within the local jail **and criminal justice** system. Upon the installation of the **information sharing and** biometric verification system, funds in the inmate security fund may be used for the maintenance of the **information sharing and** biometric verification system, and to pay for any expenses related to custody and housing and other expenses for prisoners.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 6** was adopted.

Representative Asbury offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 3, Section 50.535, Line 37, by inserting after all of said section and line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. **Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or higher, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect**

any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section and such notice must include a published summary of the proposed reductions and an explanation of the shortfall. If the county has a website, publication on the website will satisfy the notice requirement for this section.

5. This section shall expire on July 1, 2015.

6. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burlison offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 1, Line 26, by inserting after all of said line the following:

‘Further amend said bill, Page 48, Section 475.555, Line 5, by inserting after all of said section and line the following:

“484.010. 1. The "practice of the law" is hereby defined to be and is the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any court of record, commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies.

2. The "law business" is hereby defined to be and is the advising or counseling for a valuable consideration of any person, firm, association, or corporation as to any secular law or the drawing or the procuring of or assisting in the drawing for a valuable consideration of any paper, document or instrument affecting or relating to secular rights or the doing of any act for a valuable consideration in a representative capacity, obtaining or tending to obtain or securing or tending to secure for any person, firm, association or corporation any property or property rights whatsoever.

3. The terms “practice of law” and “law business” do not include the design, creation, publication, distribution, display, or sale, including publication, distribution, display, or sale by means of a website, of written materials, books, forms, computer software, or similar products, including forms assembled by means of branching or decision-tree software, if the products clearly and conspicuously state that the products are not a substitute for the advice of an attorney. This subsection shall apply to actions taken before, after, or on August 28, 2011.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 001

Kelly 24

ABSENT WITH LEAVE: 007

Brattin	Hughes	Kander	McGeoghegan	Thomson
Webber	Mr Speaker			

VACANCIES: 004

Representative Burlison moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 028

Asbury	Brown 50	Burlison	Conway 14	Curtman
Dieckhaus	Fisher	Fitzwater	Fraker	Franklin
Guernsey	Haefner	Hampton	Houghton	Keeney
Klippenstein	Koenig	Lair	Lant	McNary
Neth	Reiboldt	Sater	Scharnhorst	Schatz
Schoeller	Stream	Weter		

NOES: 120

Allen	Anders	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dugger	Ellinger	Elmer	Entlicher	Fallert
Flanigan	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kirkton	Korman	Kratky
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schieber	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	White	Wieland	Wright	Wyatt

PRESENT: 001

Kelly 24

ABSENT WITH LEAVE: 010

Barnes	Brattin	Diehl	Franz	Hughes
McGeoghegan	Nolte	Webber	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Asbury, **House Amendment No. 7** was adopted.

Representative Molendorp offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Section 32.056, Page 2, Line 17, by inserting after all of said section and line the following:

“34.376. 1. Sections 34.376 to 34.380 may be known as the "Transparency in Private Attorney Contracts Act".

2. As used in sections 34.376 to 34.380, the following terms shall mean:

- (1) "Government attorney", an attorney employed by the state as an assistant attorney general;**
- (2) "Private attorney", any private attorney or law firm;**
- (3) "State", the state of Missouri, in any action instituted by the attorney general pursuant to section**

27.060.

34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:

- (1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;**
- (2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**
- (3) The geographic area where the attorney services are to be provided; and**
- (4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.**

2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.

3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.

4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:

- (1) The government attorneys shall retain complete control over the course and conduct of the case;**
- (2) A government attorney with supervisory authority shall oversee the litigation;**
- (3) The government attorneys shall retain veto power over any decisions made by outside counsel;**
- (4) A government attorney with supervisory authority for the case shall attend all settlement conferences;**

and

(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.

5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.

6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working

on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 8** was adopted.

Representative Hough offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 14, Section 303.025, Line 53, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.”; and

Further amend said bill, Page 52, Section 516.140, Line 7, by inserting after all of said section and line the following:

“537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richardson offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 2, Line 10, by inserting after all of said line the following:

‘Further amend said bill, Page 21, Section 429.015, Line 62, by inserting after all of said section and line the following:

“444.771. Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo, to any person whose mine plan boundary is within 1,000 feet of any real property where an accredited school has been located for at least five years prior to such application for permits made pursuant to these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine and/or to any underground mining operation.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bernskoetter	Brown 116	Diehl	Ellinger	Elmer
Entlicher	Fraker	Hughes	Jones 89	Lasater
McGeoghegan	Molendorp	Nasheed	Schieber	Taylor
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Richardson, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 116	Cierpiot	Diehl	Ellinger	Elmer
Fraker	Franklin	Gosen	Hughes	Jones 89
Lasater	McGeoghegan	Nasheed	Schad	Scharnhorst
Spreng	Taylor	Webber	Mr Speaker	

VACANCIES: 004

On motion of Representative Hough, **House Amendment No. 9, as amended**, was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Entlicher	Fisher
Fitzwater	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Brown 116	Diehl	Elmer	Flanigan
Fraker	Gosen	Hughes	Jones 89	Jones 117
Lasater	McGeoghegan	Nasheed	Schad	Scharnhorst
Taylor	Webber	Zerr	Mr Speaker	

VACANCIES: 004

On motion of Representative Cox, **HCS SCS SB 60, as amended**, was adopted.

On motion of Representative Cox, **HCS SCS SB 60, as amended**, was read the third time and passed by the following vote:

AYES: 112

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Still	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 035

Anders	Atkins	Carlson	Carter	Ellinger
Fallert	Hubbard	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	Marshall	May
McCaherty	McCann Beatty	McDonald	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Sifton
Smith 71	Spreng	Swearingen	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Elmer	Fraker	Hughes	Lasater
McGeoghegan	Nasheed	Schad	Scharnhorst	Taylor
Webber	Mr Speaker			

VACANCIES: 004

Representative Smith (150) declared the bill passed.

HCS#2 SCS SB 162, relating to agriculture, was taken up by Representative Guernsey.

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

“262.005. 1. Agriculture which provides food, energy, and security is the foundation and stabilizing force of Missouri's economy. To protect this vital sector of Missouri's economy, it shall be the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on livestock owners.

2. As used in this section, the following terms shall mean:

(1) "Generally accepted scientific principles", agricultural standards and practices established by the University of Missouri, and the most current industry standards and practices;

(2) "Humane manner", care of livestock regarding the livestock's health and environment in compliance with generally accepted scientific principles;

(3) "Livestock", horses, cattle, swine, sheep, goats, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised in confinement for human consumption or animal husbandry, poultry or birds;

(4) "Undue economic burden", expenses incurred resulting from changes in agricultural practices deemed legal under state or local laws or ordinances in effect at the time this section was enacted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

“252.040. 1. No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.

2. After first notifying the department of conservation, wild elk may be destroyed by the land owner or lessor of land when such wild elk have caused any damage to agricultural property including, but not limited to, fences and crops.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burlison raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Holsman offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Line 12, by inserting immediately following the word “**conservation**” the following:

“and allowing the department twenty-four hours to respond”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Elmer	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	Nance	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 030

Brown 85	Colona	Day	Denison	Dieckhaus
Diehl	Ellinger	Entlicher	Flanigan	Funderburk
Higdon	Hughes	Jones 117	Lair	Lichtenegger

McGeoghegan	McNary	Meadows	Molendorp	Nasheed
Neth	Nolte	Pollock	Sater	Schad
Schneider	Shively	Stream	Swearingen	Webber

VACANCIES: 004

Speaker Tilley resumed the Chair.

Representative Holsman moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Brattin offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Line 12, by inserting after the word “**conservation**” the following:

“**and upon receiving the consent of the department of conservation**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McGhee	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bernskoetter	Cierpiot	Colona	Day	Dieckhaus
Franklin	Higdon	Hughes	Long	McGeoghegan
McNary	Molendorp	Phillips	Schad	Swearingen
Webb	Webber			

VACANCIES: 004

On motion of Representative Brattin, **House Amendment No. 2 to House Amendment No. 2** was adopted.

On motion of Representative Dugger, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 112

Allen	Aull	Bahr	Barnes	Berry
Black	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McGhee	McManus
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swinger	Talboy	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 033

Anders	Asbury	Atkins	Brandom	Brattin
Carlson	Ellinger	Elmer	Haefner	Hinson
Hubbard	Kirkton	Kratky	Lasater	Marshall
May	McCaherty	McDonald	Montecillo	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Rizzo	Schatz	Schupp	Spreng	Taylor
Wallingford	Walton Gray	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Cierpiot	Colona	Day	Flanigan
Franklin	Higdon	Hughes	McGeoghegan	McNary
Schad	Swearingen	Webb	Webber	

VACANCIES: 004

Representative Klippenstein offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

“262.815. 1. This section shall be known and may be cited as the "Missouri Farmland Trust Act". The purpose of this section is to allow individuals and entities to donate, gift, or otherwise convey farmland to the state department of agriculture for the purpose of preserving the land as farmland and to further provide beginning farmers with an opportunity to farm by allowing long-term low and variable cost leases, thereby making it affordable for the next generation of farmers to continue to produce food, fiber, and fuel.

2. There is hereby created the "Missouri Farmland Trust" which shall be implemented in a manner to accomplish the following objectives:

- (1) Protect and preserve Missouri's farmland;**
- (2) Link new generations of prospective farmers with present farmers; and**
- (3) Promote best practices in environmental, livestock, and land stewardship.**

3. (1) There is hereby created within the department of agriculture the "Missouri Farmland Trust Advisory Board" which shall be comprised of five members appointed by the director of the department of agriculture. Members shall serve without compensation but, subject to appropriations, may be reimbursed for actual and necessary expenses.

(2) The board shall make recommendations to the director on the appropriate uses of farmland in the trust, criteria to be used to select applicants for the program, and review and make recommendations regarding applications to lease farmland in the trust.

(3) Members shall serve five-year terms, with each term beginning July first and ending June thirtieth; except that, of the members initially appointed two shall be appointed for a term of three years, two shall be appointed for a term of four years, and one shall be appointed for a term of five years. Each member shall serve until his or her successor is appointed. Any vacancies occurring prior to the expiration of a term shall be filled by appointment for the remainder of such term. No member shall serve more than two consecutive terms.

4. The department of agriculture is authorized to accept or acquire by purchase, lease, donation, or agreement any agricultural lands, easements, real and personal property, or rights in lands, easements, or real and personal property, including but not limited to buildings, structures, improvements, equipment, or facilities subject to preservation and improvement. Such lands shall be properties of the Missouri farmland trust for purposes of this section and shall be governed by the provisions of this section and rules promulgated thereunder.

5. (1) There is hereby created in the state treasury the "Missouri Farmland Trust Fund", which shall consist of all gifts, bequests, donations, transfers, and moneys appropriated by the general assembly under this

section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used for the administration of this section and may be used to make payments to counties for the value of land as payment in lieu of real and personal property taxes for privately owned land acquired after the effective date of this section in such amounts as determined by the department; except that, the amount determined shall not be less than the real property tax paid at the time of acquisition. The department of agriculture may require applicants who are awarded leases to pay the property taxes owed under this section for such property.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department of agriculture is authorized to accept all moneys, appropriations, gifts, bequests, donations, or other contributions of moneys or other real or personal property to be expended or used for any of the purposes of this section. The department may improve, maintain, operate, and regulate any such lands, easements, or real or personal property to promote agriculture and the general welfare using moneys in the fund. Property acquired by the department under this section shall be used for agricultural purposes. The director shall establish by rule guidelines for leasing farmland to the trust to beginning farmers for a period not to exceed twenty years. All property acquired by the department under this section shall be farmed and maintained using the best environmental, conservation, and stewardship practices as outlined by the department. The department may charge an administrative fee for lease application processing under this section.

7. The department, in consultation with the Missouri farmland advisory board, shall promulgate rules to implement the provisions of this section, including but not limited to requirements for lessees, selection process for granting leases, and the terms of the lease, including requirements for applicants, renewal process, requirements for the maintenance of real and personal property by the lessee, and conditions for the termination of leases.

8. Any person or entity donating land to or leasing land from the department shall forever release the state of Missouri, the Missouri department of agriculture, the department's director, officers, employees, volunteers, agents, contractors, servants, heirs, successors, assigns, persons, firms, corporations, representatives, and other entities who are or who will be acting in concert or privity with or on behalf of the state from any and all actions, claims, or demands that he or she, family members, heirs, successors, assigns, agents, servants, employees, distributees, guardians, next-of-kin, spouse, and legal representatives now have or may have in the future for any injury, death, property damage related to:

(1) Participation in such activities;

(2) The negligence, intentional acts, or other acts, whether directly connected to such activities or not, and however caused; and

(3) The condition of the premises where such activities occur.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus

Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Wallingford	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Bernskoetter	Cierpiot	Colona	Day	Diehl
Dugger	Flanigan	Franklin	Hughes	McGeoghegan
McNary	Parkinson	Phillips	Torpey	Webb
Webber	Wells	Wieland		

VACANCIES: 004

On motion of Representative Klippenstein, **House Amendment No. 3** was adopted.

Representative Loehner offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 2, Section 144.010, Line 21, by inserting immediately following the word “**purposes**” the following:

“**. The provision of this subdivision shall not apply to sales tax on a harvested animal**”; and

Further amend said bill, Page 7, Section 144.030, Lines 17 and 20, by deleting the words “[or], poultry, **or captive wildlife**” and inserting in lieu thereof the words “or poultry”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Silvey assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Leach	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Berry	Colona	Conway 14
Day	Diehl	Dugger	Franklin	Hubbard
Hughes	McGeoghegan	Parkinson	Richardson	Sater
Spreng	Torpey	Webber		

VACANCIES: 004

On motion of Representative Loehner, **House Amendment No. 4** was adopted.

Representative Korman offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Section A, Line 6, by inserting after all of said line and section the following:

“60.510. The functions, duties and responsibilities of the department of [natural resources] **agriculture** shall be as follows:

(1) To restore, maintain, and preserve the land survey monuments, section corners, and quarter section corners established by the United States public land survey within Missouri, together with all pertinent field notes, plats and documents; and also to restore, establish, maintain, and preserve other boundary markers considered by the department of [natural resources] **agriculture** to be of importance, or otherwise established by law;

(2) To design and cause to be placed at established public land survey corner sites, where practical, substantial monuments permanently indicating, with words and figures, the exact location involved, but if such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as near by as possible, with words and figures indicating the bearing and distance to the true corner;

(3) To establish, maintain, and provide safe storage facilities for a comprehensive system of recordation of information respecting all monuments established by the United States public land survey within this state, and such records as may be pertinent to the department of [natural resources] **agricultures'** establishment or maintenance of other land corners, Missouri state coordinate system stations and accessories, and monuments in general;

(4) To extend throughout this state a triangulation and leveling net of precision, whereby the Missouri state coordinate system, as established by section 60.400, may be made to cover to the necessary extent those areas of the state which do not now have enough geodetic control stations to permit the general use of the system by land surveyors and others;

(5) To collect and preserve information obtained from surveys made by those authorized to establish land monuments or land boundaries, and to assist in the proper recording of the same by the duly constituted county officials, or otherwise;

(6) To furnish, upon reasonable request and tender of the required fees therefor, certified copies of records created or maintained by the department of [natural resources] **agriculture** which, when certified by the state land surveyor or a designated assistant, shall be admissible in evidence in any court in this state, as the original record;

(7) To prescribe, and disseminate to those engaged in the business of land surveying, advisory regulations designed to assist in uniform and professional surveying methods and standards in this state; and

(8) To select and appoint a state land surveyor, who shall be the chief administrative officer of the [authority] **land survey program**, and who shall hold office at the pleasure of the [authority] **director of the department of agriculture**.

60.530. The state land surveyor shall, under guidance of the department of [natural resources] **agriculture**, carry out the routine functions and duties of the department of [natural resources] **agriculture**, as prescribed in sections [60.500] **60.510** to 60.610. He shall, whenever practical, cause all land surveys, except geodetic surveys, to be executed, under his direction by the registered county surveyor or a local registered land surveyor when no registered county surveyor exists. He shall perform such other work and acts as shall, in the judgment of the department of [natural resources] **agriculture**, be necessary and proper to carry out the objectives of sections [60.500] **60.510** to 60.610 and, within the limits of appropriations made therefor and subject to the approval of the department of [natural resources] **agriculture**, employ and fix the compensation of such additional employees as may be necessary to carry out the provisions of sections [60.500] **60.510** to 60.610.

60.540. The department of [natural resources] **agriculture** may acquire, in the name of the state of Missouri, lands or interests therein, where necessary, to establish permanent control stations; and may lease or purchase or acquire by negotiation or condemnation, where necessary, land for the establishment of an office of the department of [natural resources] **agriculture**. If condemnation is necessary, the attorney general shall bring the suit in the name of the state in the same manner as authorized by law for the acquisition of lands by the state transportation department.

60.550. The custody and ownership of the original United States public land survey corners and accessories, including all restoration and replacements thereof and all accessories, belonging to the state of Missouri is hereby transferred to the department of [natural resources] **agriculture**. The department of [natural resources] **agriculture** shall see that the markers are maintained, and the alteration, removal, disfiguration or destruction of any of the corners or accessories, without specific permission of the department of [natural resources] **agriculture**, is an act of destruction

of state property and is a misdemeanor. Any person convicted thereof shall be punished as provided by law. Each of the several prosecuting attorneys is specifically directed to prosecute for the violation of this section for any act of destruction which occurs in his **or her** county.

60.560. Upon request, the state attorney general shall advise the department of [natural resources] **agriculture** or the state land surveyor with respect to any legal matter, and shall represent the department of [natural resources] **agriculture or state land surveyor** in any proceeding in any court of the state in which the [authority] **department or state land surveyor** shall be a party.

60.580. The state land surveyor or any and all employees of the department of [natural resources] **agriculture** have the right to enter upon private property for the purpose of making surveys, or for searching for, locating, relocating, or remonumenting land monuments, leveling stations, or section corners. Should any of these persons necessarily damage property of the owner in making the surveys or searches or remonumentations, the department of [natural resources] **agriculture** may make reasonable payment for the damage from funds available for that purpose. However, department of [natural resources] **agriculture** employees are personally liable for any damage caused by their wantonness, willfulness, or negligence. All department of [natural resources] **agriculture** employees are immune from arrest for trespass in performing their legal duties as stated in sections [60.500] **60.510** to 60.610.

60.590. 1. On request of the department of [natural resources] **agriculture** or the state land surveyor, all city and county recorders of deeds, together with all departments, boards or agencies of state government, county, or city government, shall furnish to the department of [natural resources] **agriculture** or the state land surveyor certified copies of desired records which are in their custody. This service shall be free of cost when possible; otherwise, it shall be at actual cost of reproduction of the records. On the same basis of cost, the department of [natural resources] **agriculture** shall furnish records within its custody to other agencies or departments of state, county or city, certifying them.

2. The department of [natural resources] **agriculture** may produce, reproduce and sell maps, plats, reports, studies, and records, and shall fix the charge therefor. All income received shall be promptly deposited in the state treasury to the credit of the department of [natural resources document] **agriculture revolving** services fund.

60.595. 1. The "Department of [Natural Resources] **Agriculture Revolving Services Fund**" is hereby created. All funds received by the department of [natural resources] **agriculture** from the delivery of services and the sale or resale of maps, plats, reports, studies, records and other publications and documents by the department shall be credited to the fund. The director of the department shall administer the fund. The state treasurer is the custodian of the fund and [shall] **may** approve disbursements from the fund requested by the director of the department. When appropriated, moneys in the fund shall be used to purchase goods or services that will ultimately be used to reprint maps, publications or other documents requested by governmental agencies or members of the general public; to publish the maps, publications or other documents or to purchase maps, publications or other documents for resale; and to pay shipping charges, laboratory services, core library fees, workshops, conferences, interdivisional cooperative agreements, but for no other purpose.

2. An unencumbered balance in the fund at the end of the fiscal year not exceeding one million dollars is exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the general revenue fund.

3. The department of [natural resources] **agriculture** shall report all income to and expenditures from such fund on a quarterly basis to the house budget committee and the senate appropriations committee.

60.600. Every employee of the department of [natural resources] **agriculture** who is engaged in work required by law to be done by a registered land surveyor [will] **shall** be so registered. No employee of the department of [natural resources] **agriculture** shall engage in private land surveying or consultation while employed by the department of [natural resources] **agriculture**.

60.610. Whenever the department of [natural resources] **agriculture** deems it expedient, and when funds appropriated permit, the department of [natural resources] **agriculture** may enter into any contract with agencies of the United States, with agencies of other states, or with private persons, registered land surveyors or professional engineers, in order to plan and execute desired land surveys or geodetic surveys, or to plan and execute other projects which are within the scope and purpose of sections [60.500] **60.510** to 60.610.

60.620. 1. There is hereby created the "Land Survey Advisory Committee", within the department of [natural resources] **agriculture**. The committee shall consist of five members appointed by the director of the department of

[natural resources] **agriculture**. Members of the committee shall hold office for terms of three years, but of the original appointments, two members shall serve for one year, two members shall serve for two years, and one member shall serve for three years.

2. The advisory committee shall consist of persons who reside in this state and are not employed by the department of [natural resources] **agriculture**. Three members shall be registered land surveyors, one of which shall be a county surveyor. One member shall represent the real estate or land title industry.

3. The advisory committee shall elect a chairman annually. The committee shall meet semiannually and at other such times as called by the chairman of the committee and shall have a quorum when at least three members are present.

4. The advisory committee members shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

5. The advisory committee shall provide the director of the department of [natural resources] **agriculture** with advice and counsel on the planning and prioritization of the program and the design of regulations needed to carry out the functions, duties, and responsibilities of the department of [natural resources] **agriculture**.

6. The committee shall, at least annually, prepare a report, which shall be available to the general public, of the review by the committee of the land survey program, stating its findings, conclusions, and recommendations to the director.

60.653. 1. It shall be the duty of the recorder of deeds to maintain a copy of all survey plats delivered to his custody in an appropriate file medium capable of reproduction.

2. Survey plats shall be placed in the plat books or such other record books as have been previously established.

3. A duplicate of the recorded survey plat shall be provided to the land survey [division] **program** of the department of [natural resources] **agriculture** at an amount not to exceed the actual cost of the duplicate.

4. The recorder shall maintain an index of all survey plats, subdivision plats, and condominium plats by section, township, and range and by subdivision or condominium name.

5. Copies of survey plats shall be evidence in all courts of justice when properly certified under the hand and official seal of the recorder.

60.670. 1. As used in this section, the following terms shall mean:

(1) "Cadastral parcel mapping", an accurately delineated identification of all real property parcels. The cadastral map is based upon the USPLSS. For cadastral parcel maps the position of the legal framework is derived from the USPLSS, existing tax maps, and tax database legal descriptions, recorded deeds, recorded surveys, and recorded subdivision plats;

(2) "Digital cadastral parcel mapping", encompasses the concepts of automated mapping, graphic display and output, data analysis, and database management as pertains to cadastral parcel mapping. Digital cadastral parcel mapping systems consist of hardware, software, data, people, organizations, and institutional arrangements for collecting, storing, analyzing, and disseminating information about the location and areas of parcels and the USPLSS;

(3) "USPLSS" or "United States Public Land Survey System", a survey executed under the authority of the United States government as recorded on the official plats and field notes of the United States public land survey maintained by the land survey program of the department of [natural resources] **agriculture**;

(4) "Tax map", a document or map for taxation purposes representing the location, dimensions, and other relevant information pertaining to a parcel of land subject to property taxes.

2. The office of the state land surveyor established within the department of [natural resources] **agriculture** shall promulgate rules and regulations establishing minimum standards for digital cadastral parcel mapping. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

3. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system shall comply with the rules promulgated under this section, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map have already agreed to the terms of their contract on the effective date of the rules promulgation."; and

Further amend said bill, Page 16, Section 144.030, Line 80, by inserting after all of said section and line the following:

“261.023. 1. There is hereby created a department of agriculture to be headed by a director of the department of agriculture to be appointed by the governor, by and with the advice and consent of the senate. The director shall possess the qualifications presently provided by law for the position of commissioner of agriculture.

2. All powers, duties and functions now vested by law to the commissioner of the department of agriculture and the department of agriculture, chapter 261 and others, are transferred by type I transfer to the director of the department of agriculture and to the department of agriculture herein created.

3. The state horticultural society created by sections 262.010 and 262.020 is transferred by type I transfer to the department of agriculture.

4. All the powers, duties, and functions vested in the state milk board, chapter 196, are transferred to the department of agriculture by type III transfer. The appointed members of the board shall be nominated by the department director, and appointed by the governor with the advice and consent of the senate. The department of health and senior services shall retain the powers, duties and functions assigned by chapter 196.

5. All the powers, duties, functions and properties of the state fruit experiment station, chapter 262, are transferred by type I transfer to the Southwest Missouri State University and fruit experiment station board of trustees is abolished.

6. All the powers, duties and functions of the department of revenue relating to the inspection of motor fuel and special fuel distributors, chapters 323 and 414, are transferred by type I transfer to the department of agriculture and to the director of that department. The collection of the taxes provided in chapters 142 and 136, however, shall be made by the department of revenue.

7. All the powers, duties, and functions of the land survey program of the department of natural resources are transferred to the department of agriculture by type I transfer. In no case shall any cost allocation plan charged to the land survey program be greater than the cost allocation plan charged to any other program within the department of agriculture.”; and

Further amend said bill, Page 25, Section 411.280, Line 7, by inserting after all of said section and line the following:

“640.010. 1. There is hereby created a department of natural resources in charge of a director appointed by the governor, by and with the advice and consent of the senate. The director shall administer the programs assigned to the department relating to environmental control and the conservation and management of natural resources. The director shall coordinate and supervise all staff and other personnel assigned to the department. He shall faithfully cause to be executed all policies established by the boards and commissions assigned to the department, be subject to their decisions as to all substantive and procedural rules and his decisions shall be subject to appeal to the board or commission on request of the board or commission or by affected parties. The director shall recommend policies to the various boards and commissions assigned to the department to achieve effective and coordinated environmental control and natural resource conservation policies.

2. The director shall appoint directors of staff to service each of the policy making boards or commissions assigned to the department. Each director of staff shall be qualified by education, training and experience in the technical matters of the board to which he is assigned and his appointment shall be approved by the board to which he is assigned and he shall be removed or reassigned on their request in writing to the director of the department. All other employees of the department and of each board and commission assigned to the department shall be appointed by the director of the department in accord with chapter 36, and shall be assigned and may be reassigned as required by the director of the department in such a manner as to provide optimum service, efficiency and economy.

3. The air conservation commission, chapter 203 and others, the clean water commission, chapter 204 and others, are transferred by type II transfer to the department of natural resources. The governor shall appoint the members of these bodies in accord with the laws establishing them, with the advice and consent of the senate. The bodies hereby transferred shall retain all rulemaking and hearing powers allotted by law, as well as those of any bodies transferred to their jurisdiction. All the powers, duties and functions of the state environmental improvement authority, chapter 260 and others, are transferred by type III transfer to the air conservation commission. All the powers, duties and functions of the water resources board, chapter 256 and others, are transferred by type I transfer to the clean water commission and the board is abolished. No member of the clean water commission shall receive or shall have received, during the previous two years from the date of his appointment, a significant portion of his income directly or indirectly from permit

holders or applicants for a permit under the jurisdiction of the clean water commission. The state park board, chapter 253, is transferred to the department of natural resources by type I transfer.

4. All the powers, duties and functions of the state soil and water districts commission, chapter 278 and others, are transferred by a type II transfer to the department.

5. All the powers, duties and functions of the state geologist, chapter 256 and others, are transferred by type I transfer to the department of natural resources. [All the powers, duties and functions of the state land survey authority, chapter 60, are transferred to the department of natural resources by type I transfer and the authority is abolished.] All the powers, duties and functions of the state oil and gas council, chapter 259 and others are transferred to the department of natural resources by type II transfer. The director of the department shall appoint a state geologist who shall have the duties to supervise and coordinate the work formerly done by the departments or authorities abolished by this subsection, and shall provide staff services for the state oil and gas council.

6. All the powers, duties and functions of the land reclamation commission, chapter 444 and others, are transferred to the department of natural resources by type II transfer. All necessary personnel required by the commission shall be selected, employed and discharged by the commission. The director of the department shall not have the authority to abolish positions.

7. The functions performed by the division of health in relation to the maintenance of a safe quality of water dispensed to the public, sections 640.100 to 640.115, and others, and for licensing and regulating solid waste management systems and plans are transferred by type I transfer to the department of natural resources.

8. (1) The state interagency council for outdoor recreation, chapter 258, is transferred to the department of natural resources by type II transfer. The council shall consist of representatives of the following state agencies: department of agriculture; department of conservation; office of administration; department of natural resources; department of economic development; department of social services; department of transportation; and the University of Missouri.

(2) The council shall function as provided in chapter 258, except that the department of natural resources shall provide all staff services as required by the council notwithstanding the provisions of sections 258.030 and 258.040, and all personnel and property of the council are hereby transferred by type I transfer to the department of natural resources and the office of executive secretary to the council is abolished.

Section A. The provisions of sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010 of section A of this Act shall become effective August 28, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Neth	Pollock	Redmon	Reiboldt
Richardson	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake

Silvey	Smith 150	Solon	Stream	Thomson
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 028

Bernskoetter	Brattin	Brown 50	Cierpiot	Day
Diehl	Flanigan	Franklin	Higdon	Holsman
Hubbard	Hughes	Lasater	McCaherty	McGeoghegan
McManus	Nolte	Oxford	Parkinson	Phillips
Riddle	Rowland	Spreng	Torpey	Wallingford
Webber	Zerr	Mr Speaker		

VACANCIES: 004

On motion of Representative Korman, **House Amendment No. 5** was adopted.

Representative Jones (117) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 24, Section 276.441, Line 12, by inserting immediately after said line the following:

“338.010. 1. The "practice of pharmacy" means the interpretation, implementation, and evaluation of medical prescription orders, including **any legend drugs under 21 U.S.C. Section 353**; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, **and veterinarians and their clients about legend drugs**, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his **or her** duties. This assistance in no way is intended to relieve the pharmacist from his **or her** responsibilities for compliance with this chapter and he **or she** will be responsible for the actions of the auxiliary personnel acting in his **or her** assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered

practitioner of medicine, dentistry, **or** podiatry, or veterinary medicine **only for use in animals**, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, **administering, prescribing,** or dispensing of his **or her** own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of [five] **six** members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, [and] one of whom shall be a representative

of drug manufacturers, **and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine.** The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale drug distributors [and], drug manufacturers, **and veterinary legend drugs** which are proposed by the board.

5. A majority of the board shall constitute a quorum for the transaction of business.

6. Notwithstanding any other provisions of law to the contrary, the board may issue letters of reprimand, censure or warning to any holder of a license or registration required pursuant to this chapter for any violations that could result in disciplinary action as defined in section 338.055.

338.150. Any person authorized by the board of pharmacy is hereby given the right of entry and inspection upon all open premises purporting or appearing to be drug or chemical stores, apothecary shops, pharmacies or places of business for exposing for sale, or the dispensing or selling of drugs, pharmaceuticals, medicines, chemicals or poisons or for the compounding of physicians' **or veterinarians'** prescriptions.

338.210. 1. Pharmacy refers to any location where the practice of pharmacy occurs or such activities are offered or provided by a pharmacist or another acting under the supervision and authority of a pharmacist, including every premises or other place:

(1) Where the practice of pharmacy is offered or conducted;

(2) Where drugs, chemicals, medicines, **any legend drugs under 21 U.S.C. Section 353**, prescriptions, or poisons are compounded, prepared, dispensed or sold or offered for sale at retail;

(3) Where the words "pharmacist", "apothecary", "drugstore", "drugs", and any other symbols, words or phrases of similar meaning or understanding are used in any form to advertise retail products or services;

(4) Where patient records or other information is maintained for the purpose of engaging or offering to engage in the practice of pharmacy or to comply with any relevant laws regulating the acquisition, possession, handling, transfer, sale or destruction of drugs, chemicals, medicines, prescriptions or poisons.

2. All activity or conduct involving the practice of pharmacy as it relates to an identifiable prescription or drug order shall occur at the pharmacy location where such identifiable prescription or drug order is first presented by the patient or the patient's authorized agent for preparation or dispensing, unless otherwise expressly authorized by the board.

3. The requirements set forth in subsection 2 of this section shall not be construed to bar the complete transfer of an identifiable prescription or drug order pursuant to a verbal request by or the written consent of the patient or the patient's authorized agent.

4. The board is hereby authorized to enact rules waiving the requirements of subsection 2 of this section and establishing such terms and conditions as it deems necessary, whereby any activities related to the preparation, dispensing or recording of an identifiable prescription or drug order may be shared between separately licensed facilities.

5. If a violation of this chapter or other relevant law occurs in connection with or adjunct to the preparation or dispensing of a prescription or drug order, any permit holder or pharmacist-in-charge at any facility participating in the preparation, dispensing, or distribution of a prescription or drug order may be deemed liable for such violation.

6. Nothing in this section shall be construed to supersede the provisions of section 197.100.

338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

(1) Class A: Community/ambulatory;

(2) Class B: Hospital outpatient pharmacy;

(3) Class C: Long-term care;

(4) Class D: Nonsterile compounding;

(5) Class E: Radio pharmaceutical;

(6) Class F: Renal dialysis;

(7) Class G: Medical gas;

(8) Class H: Sterile product compounding;

(9) Class I: Consultant services;

(10) Class J: Shared service;

- (11) Class K: Internet;
- (12) Class L: Veterinary.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, **administering, prescribing,** or dispensing of their own prescriptions, **or medicine, drug, or pharmaceutical product to be used for animals.** 5. [Notwithstanding any other law to the contrary] **Except for any legend drugs under 21 U.S.C. Section 353,** the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

338.240. 1. Upon evidence satisfactory to the said Missouri board of pharmacy:

(1) That the pharmacy for which a permit, or renewal thereof, is sought, will be conducted in full compliance with sections 338.210 to 338.300, with existing laws, and with the rules and regulations as established hereunder by said board;

(2) That the equipment and facilities of such pharmacy are such that it can be operated in a manner not to endanger the public health or safety;

(3) That such pharmacy is equipped with proper pharmaceutical and sanitary appliances and kept in a clean, sanitary and orderly manner;

(4) That the management of said pharmacy is under the supervision of either a registered pharmacist, or an owner or employee of the owner, who has at his **or her** place of business a registered pharmacist employed for the purpose of compounding physician's **or veterinarian's** prescriptions in the event any such prescriptions are compounded or sold;

(5) That said pharmacy is operated in compliance with the rules and regulations legally prescribed with respect thereto by the Missouri board of pharmacy, a permit or renewal thereof shall be issued to such persons as the said board of pharmacy shall deem qualified to conduct such pharmacy.

2. In lieu of a registered pharmacist as required by subdivision (4) of subsection 1 of this section, a pharmacy permit holder that only holds a class L veterinary permit and no other pharmacy permit, may designate a supervising registered pharmacist who shall be responsible for reviewing the activities and records of the class L pharmacy permit holder as established by the board by rule. The supervising registered pharmacist shall not be required to be physically present on site during the business operations of a class L pharmacy permit holder identified in subdivision (5) of subsection 1 of this section when noncontrolled legend drugs under 21 U.S.C. Section 353 are being dispensed for use in animals, but shall be specifically present on site when any noncontrolled drugs for use in animals are being compounded.

338.315. It shall be unlawful for any pharmacist, pharmacy owner or person employed by a pharmacy to knowingly purchase or receive any legend drugs **under 21 U.S.C. Section 353** from other than a licensed or registered drug distributor or licensed pharmacy. Any person who violates the provisions of this section shall, upon conviction, be adjudged guilty of a class A misdemeanor. Any subsequent conviction shall constitute a class D felony.

338.330. As used in sections 338.300 to 338.370, the following terms mean:

(1) "Out-of-state wholesale drug distributor", a wholesale drug distributor with no physical facilities located in the state;

(2) "Pharmacy distributor", any licensed pharmacy, as defined in section 338.210, engaged in the delivery or distribution of legend drugs to any other licensed pharmacy where such delivery or distribution constitutes at least five percent of the total gross sales of such pharmacy;

(3) "**Legend drug**";

(a) **Any drug or biological product:**

- a. Subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act, including finished dosage forms and active ingredients subject to such section;**
- b. Required under federal law to be labeled with one of the following statements prior to being dispensed or delivered:**
- (i) "Caution: Federal law prohibits dispensing without prescription";**
 - (ii) "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or**
 - (iii) "Rx only";**
- c. Required by any applicable federal or state law or regulation to be dispensed by prescription only or that is restricted to use or dispensed by practitioners only;**
- (b) The term "drug", "prescription drug", or "legend drug" shall not include:**
- a. An investigational new drug, as defined in 21 CFR 312.3(b), that is being utilized for the purposes of conducting a clinical trial or investigation of such drug or product that is governed by and being conducted under 21 CFR 312, et seq.;**
 - b. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed by and being conducted under 21 CFR 312, et seq.;**
 - c. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed or approved by an institutional review board subject to 21 CFR Part 56 or 45 CFR Part 46;**
- (4) "Wholesale drug distributor", anyone engaged in the delivery or distribution of legend drugs from any location and who is involved in the actual, constructive or attempted transfer of a drug or drug-related device in this state, other than to the ultimate consumer. This shall include, but not be limited to, drug wholesalers, repackagers and manufacturers which are engaged in the delivery or distribution of drugs in this state, with facilities located in this state or in any other state or jurisdiction. A wholesale drug distributor shall not include any common carrier or individual hired solely to transport legend drugs. Any locations where drugs are delivered on a consignment basis, as defined by the board, shall be exempt from licensure as a drug distributor, and those standards of practice required of a drug distributor but shall be open for inspection by board of pharmacy representatives as provided for in section 338.360.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Asbury	Bahr	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr		

2296 *Journal of the House*

NOES: 045

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Pace	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Aull	Bernskoetter	Cierpiot	Conway 14
Day	Franklin	Gatschenberger	Higdon	Holsman
Hubbard	Hughes	Lasater	McCaherty	McGeoghegan
McNary	Oxford	Parkinson	Pierson	Sater
Schatz	Spreng	Torpey	Webber	Weter
Mr Speaker				

VACANCIES: 004

On motion of Representative Jones (117), **House Amendment No. 6** was adopted.

On motion of Representative Guernsey, **HCS#2 SCS SB 162, as amended**, was adopted by the following vote:

AYES: 101

Asbury	Aull	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 037

Anders	Atkins	Carlson	Carter	Casey
Conway 27	Ellinger	Fallert	Harris	Hubbard
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray			

PRESENT: 001

Black

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Brown 50	Cierpiot	Colona
Day	Denison	Diehl	Franklin	Funderburk
Gatschenberger	Higdon	Hughes	Lasater	McGeoghegan
Parkinson	Redmon	Schad	Webber	Mr Speaker

VACANCIES: 004

On motion of Representative Guernsey, **HCS#2 SCS SB 162, as amended**, was read the third time and passed by the following vote:

AYES: 107

Asbury	Aull	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelly 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 037

Anders	Atkins	Carlson	Carter	Casey
Conway 27	Ellinger	Fallert	Harris	Hubbard
Jones 63	Kander	Kirkton	Kratky	Lampe

2298 *Journal of the House*

May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Talboy
Walton Gray	Webb			

PRESENT: 001

Black

ABSENT WITH LEAVE: 014

Allen	Bernskoetter	Brown 50	Cierpiot	Colona
Day	Hughes	Lasater	McGeoghegan	Parkinson
Schad	Swearingen	Webber	Mr Speaker	

VACANCIES: 004

Representative Silvey declared the bill passed.

SS SB 238, relating to diseases incurred by firefighters, was taken up by Representative Hinson.

Representative Stream offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 238, Page 3, Section 87.006, Line 33, by inserting after all of said section and line the following:

“170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.

2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.

3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.

5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to Senate Substitute for Senate Bill No. 238, Page 1, Section 170.310, Line 4, by adding after the word "resuscitation" on said line the words "and physics."

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	McGhee
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 019

Bernskoetter	Brown 50	Day	Diehl	Higdon
Hughes	Jones 117	Lasater	Long	McCaherty
McGeoghegan	McNary	Molendorp	Nasheed	Scharnhorst
Talboy	Webber	Wells	Mr Speaker	

VACANCIES: 004

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Diehl	Higdon	Holsman	Hughes
Jones 117	Lasater	Long	McGeoghegan	Molendorp
Nasheed	Newman	Pollock	Scharnhorst	Talboy
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Stream, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 238, Page 3, Section 87.006, Line 33, by inserting after all of said line the following:

“87.120. The following words and phrases as used in sections 87.120 to 87.370, unless a different meaning is plainly required by the context, have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member and credited to his or her individual account in the members' savings fund together with interest thereon;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of such mortality tables and interest rate as shall be adopted by the board of trustees;

(3) "Average final compensation", the average earnable compensation of the member during his or her last two years of service as a firefighter, or if the firefighter has less than two years of service, then the average earnable compensation of his or her entire period of service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit as provided by sections 87.120 to 87.370;

(5) "Benefit reserve", the present value of all payments to be made on account of any retirement allowance or benefit in lieu of a retirement allowance upon the basis of such mortality tables and interest rate as shall be adopted by the board of trustees;

(6) "Board of trustees", the board provided for in section 87.140 to administer the retirement system;

(7) "City", any city not within a county and adopting the retirement system provided by sections 87.120 to 87.370;

(8) "Creditable service", prior service plus membership service as provided in section 87.135;

(9) "DROP", the deferred retirement option plan provided in section 87.182;

(10) "Earnable compensation", the regular compensation which a member would earn during one year on the basis of the stated compensation for his or her rank or position;

(11) "Firefighter", any officer or employee of the fire department of the city employed by the city for the duty of fighting fires, but does not include anyone employed in a clerical or other capacity not involving fire-fighting duties. In case of doubt as to whether any person is a firefighter within the meaning of sections 87.120 to 87.370, the decision of the board of trustees shall be final;

(12) "Medical board", the board of physicians provided for in section 87.160;

(13) "Member", a member of the retirement system as defined by section 87.130;

(14) "Membership service", service as a firefighter rendered since last becoming a member;

(15) "Prior service", all service as a firefighter rendered prior to the date the system becomes operative which is creditable in accordance with the provisions of section 87.135;

(16) "Retirement allowance", annual payments for life which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon retirement or to a beneficiary;

(17) "Retirement system", the firefighter's retirement system of any city as defined in section 87.125.

87.127. A retirement plan under sections 87.120 to 87.370 is intended to be a qualified governmental plan under the provisions of applicable federal law. The benefits and conditions of the plan shall be interpreted and the system shall be operated to ensure that the system meets the federal qualification requirements.

87.205. 1. Upon retirement for accidental disability **before August 28, 2011**, a member shall receive seventy-five percent of the pay then provided by law for the highest step in the range of salary for the title or rank held by such member at the time of such retirement unless the member is permanently and totally incapacitated from performing any work, occupation or vocation of any kind whatsoever and is continuously confined to the member's home except for visits to obtain medical treatment, in which event the member may receive, in the discretion of the board of trustees, a retirement allowance in an amount not exceeding the member's rate of compensation as a firefighter in effect as of the date the allowance begins.

2. Anyone who has retired pursuant to the provisions of section 87.170 and has been reinstated pursuant to subsection 2 of section 87.130 who subsequently becomes disabled, as provided in section 87.200, shall receive a total benefit which is the higher of either the disability pension or the service pension.

3. Upon retirement for accidental disability on or after August 28, 2011, based on conditions of the heart, lungs, or cancer or based on permanent and total disability which will prevent the member from obtaining employment elsewhere, as determined by the board of trustees based on medical evidence presented by the

retirement system's physicians, a member shall receive, regardless of his or her number of years of credible service, seventy-five percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

4. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, a member shall receive a base pension equal to twenty-five percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

5. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, the member may elect to receive an education allowance in an amount not to exceed the tuition for a state resident at the University of Missouri-St. Louis. The accidentally disabled member shall enroll in a college, university, community college, or vocational or technical school at the first opportunity after the accidentally disabled member was retired and shall receive such educational allowance in the form of reimbursement upon proof of payment to such institution. The education allowance described in this subsection shall cease when the accidentally disabled member ceases to be a full-time student or if the accidentally disabled member is restored to active service as a firefighter, but in no event shall such education allowance be available for more than five years after the member is retired under section 87.200.

6. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the education allowance provided for in subsection 5 of this section, members with twenty-five years or less of creditable service shall receive an additional accidental retirement pension equal to two and three-fourths percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of retirement for each year of credible service equal to or greater than ten years but not more than twenty-five years.

7. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the additional accidental retirement pension provided for in subsection 6 of this section, for members with twenty-five years or less of creditable service, then during such time that the disabled member is a full-time student in a college, university, community college, or vocational or technical school and is receiving the educational allowance provided for in subsection 5 of this section, such member shall also receive a supplemental disability retirement pension in the amount necessary so that his or her total accidental disability retirement pension, excluding the education allowance, shall be equal to one hundred percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. In no event shall such supplemental accidental disability pension be paid for a period more than five years after the member is retired under section 87.200.

8. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the education allowance provided for in subsection 5 of this section, for members with more than twenty-five years of credible service, such member shall also receive an additional pension equal to fifty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

9. Notwithstanding any other provisions in this section, upon retirement for accidental disability, other than as provided in subsection 3 of this section, on or after August 28, 2011, a member with more than twenty years of credible service but not more than twenty-five years of creditable service may waive the right to receive the education allowance provided for in subsection 5 of this section, the right to additional pension retirement allowance provided for in subsection 6 of this section, and the right to receive the supplemental disability retirement pension provided for in subsection 7 of this section and may elect to receive instead in addition to the accidental disability retirement base pension as provided for in subsection 4 of this section an additional pension from the date of such member's retirement equal to forty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. Any such election shall be made prior to such member's receipt of his or her first accidental disability pension payment.

87.207. The following allowances due under the provisions of sections 87.120 to 87.371 of any member who retired from service shall be increased annually, as approved by the board of trustees beginning with the first increase in the October following his or her retirement and subsequent increases in each October thereafter, at the rates designated:

- (1) With a retirement service allowance or ordinary disability allowance:
- (a) One and one-half percent per year, compounded each year, up to age sixty for those retiring with twenty to twenty-four years of service,
 - (b) Two and one-fourth percent per year, compounded each year, up to age sixty for those retiring with twenty-five to twenty-nine years of service,
 - (c) Three percent per year, compounded each year, up to age sixty for those retiring with thirty or more years of service,
 - (d) After age sixty, five percent per year for five years;
- (2) With an accidental disability allowance, three percent per year, compounded each year, up to age sixty, then five percent per year for five years. **Provided, however, for accidental disability on or after August 28, 2011, for reasons other than provided in subsection 3 of section 87.205, unless a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of one percent per year, compounded each year, up to age sixty, then five percent per year for five years. For accidental disability on or after August 28, 2011, for reasons other than provided in subsection 3 of section 87.205, if a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of two and one-fourth percent per year, compounded each year, up to age sixty, then five percent per year for five years.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson

2304 *Journal of the House*

Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Dugger	Fraker	Funderburk
Higdon	Hughes	Jones 117	Lasater	Long
McGeoghegan	Molendorp	Nasheed	Scharnhorst	Webber
Mr Speaker				

VACANCIES: 004

On motion of Representative Leara, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Lochner	Marshall
McCaherty	McGhee	McNary	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson

Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Dugger	Hughes	Jones 117
Lasater	Long	McGeoghegan	Molendorp	Scharnhorst
Webber				

VACANCIES: 004

On motion of Representative Hinson, **SS SB 238, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Hughes	Jones 117	Lasater	Long
McGeoghegan	Meadows	Scharnhorst	Wallingford	Webber
Wells				

VACANCIES: 004

Representative Silvey declared the bill passed.

HCS SB 325, relating to professional registration, was taken up by Representative Smith (150).

Representative Wallingford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 325, Page 8, Section 333.171, Line 7, by inserting after all of said line the following:

"335.036. 1. The board shall:

(1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;

(2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;

(3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;

(4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

(5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;

(6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;

(7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

(8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;

(9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;

(10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. **The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.**

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and

effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said bill, Page 8, Section 335.099, Line 9, by inserting after all of said line the following:

"335.200. As used in sections 335.200 to [335.209] **335.203**, the following terms mean:

- (1) "Board", the [Missouri coordinating board for higher education] **state board of nursing**;
- (2) "**Department**", the **Missouri department of higher education**;
- (3) "Eligible [nursing program] **institution of higher education**", a **Missouri institution of higher education accredited by the higher learning commission of the north central association which offers a nursing education program [accredited under this chapter]**;
- [(3) "Fund", the nurse training incentive fund, established in section 335.203;]
- (4) "[Incentive] Grant", a grant awarded to [a nurse education program] **an eligible institution of higher education** under the guidelines set forth in sections **335.200 to 335.203** [to 335.209];
- (5) "Nontraditional student", a person admitted to an eligible nursing program that is older than twenty-two years of age at the time he is admitted to the nursing program;
- (6) "Nurse", a person holding a license as a registered nurse, pursuant to this chapter; and
- (7) "Professional nursing education program", a program of education accredited by the state board of nursing, pursuant to this chapter, designed to prepare persons for licensure as registered professional nurses with an enrollment of no less than sixty-five percent of the enrollment approved by the state board of nursing].

335.203. [The "Nurse Training Incentive Fund" is hereby established in the state treasury. The fund shall be administered by the coordinating board for higher education. The board shall base its appropriation request on enrollment, graduation and licensure figures for the previous year. The board may accept funds from private, federal and other sources for the purposes of sections 335.200 to 335.209. All appropriations, private donations, and other funds provided to the board for the implementation of sections 335.200 to 335.209 shall be placed in the nurse training incentive fund. Notwithstanding the provisions of section 33.080 to the contrary, funds in the nurse training incentive fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Grants provided pursuant to section 335.206 shall be made within the amounts appropriated therefor.] **1. There is hereby established the "Nursing Education Incentive Program" within the department of higher education.**

2. Subject to appropriation, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department. Grant award amounts shall not exceed one hundred fifty thousand dollars. No campus shall receive more than one grant per year.

3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.

4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:

- (1) Data generated from licensure renewal data and the department of health and senior services; and
- (2) National nursing statistical data and trends that have identified nursing shortages.

5. The department shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The department shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and

Further amend said bill, Page 21, Section 516.098, Line 6, by inserting after all of said line the following:

"[335.206. 1. The nurse training incentive fund shall, upon appropriation, be used to provide incentive grants to eligible nursing programs which increase enrollment. Grants shall not be awarded to classes begun on or after July 1, 1996.

2. Grants shall be awarded to eligible nursing programs which increase enrollment pursuant to subsection 3 of this section. Eligible programs receiving grants provided under sections 335.200 to 335.209 shall monitor the enrollment of nontraditional students in their program and shall annually report to the board the number of nontraditional students enrolled therein. It shall be the intent of sections 335.200 to 335.209 to encourage the enrollment and graduation of nontraditional students in nursing education programs.

3. Incentive grants shall be awarded to professional nurse education programs, as follows:

(1) A grant of eight thousand dollars for each entering class of ten students by which the program increases its enrollment over the number of entering students admitted in the fall of 1989; and

(2) A grant of four hundred dollars for each student from each entering class cited in subdivision (1) of this section by which the program increases its number of graduates over the number of students graduated in the preceding year; or

(3) Beginning with the first graduating class of the classes which enter and are enrolled after August 28, 1990, a grant of four hundred dollars for each student by which the program increases its number of graduates over the number of graduates of the preceding year, if the program is not otherwise qualified to receive the grant provided pursuant to subdivision (1) of this section.]

[335.209. No rule or portion of a rule promulgated under the authority of sections 335.200 to 335.209 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS SB 325, as amended**, was adopted.

On motion of Representative Smith (150), **HCS SB 325, as amended**, was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Nance
Neth	Newman	Nichols	Nolte	Parkinson

Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 022

Atkins	Carlson	Carter	Colona	Ellinger
Hubbard	Hummel	Jones 63	Kander	Kirkton
Marshall	Montecillo	Oxford	Pace	Pierson
Rizzo	Schupp	Smith 71	Spreng	Still
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Conway 14	Day	Dieckhaus	Franz
Frederick	Guernsey	Hughes	Lasater	Long
McGeoghegan	Nasheed	Scharnhorst	Webber	Mr Speaker

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp

2310 *Journal of the House*

Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 001

Berry

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 011

Conway 14	Day	Diehl	Frederick	Hughes
Lasater	McGeoghegan	McGhee	Scharnhorst	Webber
Mr Speaker				

VACANCIES: 004

HCS SS SCS SB 351, relating to adoption records, was taken up by Representative Barnes.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 2, Section 453.121, Line 25, by deleting the number "**10**" and inserting in lieu thereof the number "**9**"; and

Further amend said bill, Page 2, Section 453.121, Line 28, by deleting the number "**10**" and inserting in lieu thereof the number "**9**"; and

Further amend said bill, Page 3, Section 453.121, Line 71, by inserting after the word "court" the phrase "**or if a biological parent is found to be deceased**"; and

Further amend said bill, Pages 3 and 4, Section 453.121, Lines 84 to 93, by deleting all of said lines and inserting in lieu thereof the following:

"8. [If the biological parent is deceased but previously had filed an affidavit with the court stating that identifying information shall be disclosed, the information shall be forwarded to and released by the court to the adopted adult. If the biological parent is deceased and, at any time prior to his death, the biological parent did not file an affidavit with the court stating that the identifying information shall be disclosed, the adopted adult may petition the court for an order releasing the identifying information. The court shall grant the petition upon a finding that disclosure of the information is necessary for health-related purposes.

9.] Any adopted adult whose adoption was finalized in this state or whose biological"; and

Further amend said bill, Page 4, Section 453.121, Line 100, by deleting the number "10." and inserting in lieu thereof the following:

"[10.] **9.**"; and

Further amend said bill, Page 4, Section 453.121, Line 118, by deleting the number "11." and inserting in lieu thereof the following:

"[11.] 10."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

2312 *Journal of the House*

ABSENT WITH LEAVE: 017

Day	Diehl	Gatschenberger	Guernsey	Hubbard
Hughes	McGeoghegan	Nasheed	Nolte	Phillips
Scharnhorst	Schatz	Spreng	Webber	Wells
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Barnes, **HCS SS SCS SB 351, as amended**, was adopted.

On motion of Representative Barnes, **HCS SS SCS SB 351, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Pierson	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 003

Colona	Ellinger	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 013

Brandom	Day	Diehl	Guernsey	Hughes
McGeoghegan	Nolte	Phillips	Pollock	Quinn
Schatz	Webber	Zerr		

VACANCIES: 004

Representative Silvey declared the bill passed.

HCS SCS SB 356, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 20, Section 262.005, Line 11, by inserting immediately after the number “(3)” the following:

““Livestock”, horses, cattle, swine, sheep, goats, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised in confinement for human consumption or animal husbandry, poultry or birds;

(4)”; and

Further amend said bill, page and section, Line 12, by deleting all of said line and inserting in lieu thereof the following:

“agricultural practices deemed legal under state or local laws or ordinances in effect at the time this section was enacted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Cauthorn offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 21, Section 263.190, Line 40, by deleting all of said line and inserting in lieu thereof the following:

“4. All sales of noxious weed species are prohibited.”; and

Further amend said bill, Page 22, Section 263.241, Lines 1-14, by deleting all of said section and lines; and

Further amend said bill, Page 34, Section 263.232, Line 20, by inserting after all of said section and line the following:

“[263.241. The plant, purple loosestrife (*Lythrum salicaria*), and any hybrids thereof, is hereby designated a noxious weed. No person shall buy, sell, offer for sale, distribute or plant seeds, plants or parts of plants of purple loosestrife without a permit issued by the Missouri department of conservation. Such permits shall be issued only for experiments to control and eliminate nuisance

weeds. Any person who violates the provisions of this section shall be guilty of a class A misdemeanor.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 2** was adopted.

Representative Schad offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 5, Section 144.010, Line 21, by inserting immediately following the word “**purposes**” the following:

“**. The provision of this subdivision shall not apply to sales tax on a harvested animal**”; and

Further amend said bill, Page 9, Section 144.030, Line 17, by deleting the words “[or], poultry, **or captive wildlife**” and inserting in lieu thereof the words “or poultry”; and

Further amend said bill, Page 10, Section 144.030, Line 20, by deleting the words “[or], poultry, **or captive wildlife**” and inserting in lieu thereof the words “or poultry”; and

Further amend said bill, Page 19, Section 144.527, Line 19, by inserting after all of said section and line:

“252.040. **1.** No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.

2. After first notifying the department of conservation, wild elk may be destroyed by the land owner or lessor of land when such wild elk have caused any damage to agricultural property including, but not limited to, fences and crops.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 1, Line 24, by inserting after the word “**conservation**” the following:

“**and upon receiving the consent of the department of conservation**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Korman
Lair	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Nolte	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Sater	Schad	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wyatt

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Swearingen	Swinger	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 030

Bahr	Brown 116	Day	Diehl	Haefner
Hughes	Koenig	Leach	Loehner	May
McGeoghegan	McNary	Nasheed	Neth	Parkinson
Richardson	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Still	Talboy	Torpey
Webb	Webber	Wright	Zerr	Mr Speaker

VACANCIES: 004

Representative Brattin moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Anders	Atkins	Aull	Black	Brattin
Burlison	Carter	Colona	Davis	Ellinger
Funderburk	Gosen	Haefner	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Keeney
Kelly 24	Kirkton	Kratky	Lampe	Leach
Lichtenegger	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Rizzo	Sater	Schieber
Schupp	Shumake	Sifton	Smith 71	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Walton Gray	Weter	White	Wright	Mr Speaker

NOES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brown 50	Brown 85	Brown 116	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Loehner	Long	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rowland	Schad	Scharnhorst	Schieffer	Schoeller
Shively	Silvey	Smith 150	Solon	Swinger
Thomson	Torpey	Wallingford	Wells	Wieland
Wyatt	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brandom	Day	Diehl	Hughes	McGeoghegan
Parkinson	Richardson	Ruzicka	Schatz	Schneider
Webb	Webber			

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Pollock	Reiboldt	Riddle
Rowland	Sater	Schad	Scharnhorst	Schieber
Schoeller	Schoeller	Silvey	Smith 150	Solon
Stream	Thomson	Wells	Weter	White
Wieland	Wyatt	Zerr		

NOES: 042

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Conway 27	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 029

Berry	Brown 50	Casey	Day	Diehl
Ellinger	Fallert	Fraker	Guernsey	Hughes
Hummel	Leara	Marshall	McGeoghegan	Parkinson
Quinn	Redmon	Richardson	Rizzo	Ruzicka
Schatz	Schneider	Talboy	Torpey	Wallingford
Webb	Webber	Wright	Mr Speaker	

VACANCIES: 004

On motion of Representative Schad, **House Amendment No. 3** was adopted.

Representative Klippenstein offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 20, Section 262.005, Line 12, by inserting after all of said section and line the following:

“262.815. 1. This section shall be known and may be cited as the "Missouri Farmland Trust Act". The purpose of this section is to allow individuals and entities to donate, gift, or otherwise convey farmland to the state department of agriculture for the purpose of preserving the land as farmland and to further provide beginning farmers with an opportunity to farm by allowing long-term low and variable cost leases, thereby making it affordable for the next generation of farmers to continue to produce food, fiber, and fuel.

2. There is hereby created the "Missouri Farmland Trust" which shall be implemented in a manner to accomplish the following objectives:

- (1) Protect and preserve Missouri's farmland;**
- (2) Link new generations of prospective farmers with present farmers; and**
- (3) Promote best practices in environmental, livestock, and land stewardship.**

3. (1) There is hereby created within the department of agriculture the "Missouri Farmland Trust Advisory Board" which shall be comprised of five members appointed by the director of the department of agriculture. Members shall serve without compensation but, subject to appropriations, may be reimbursed for actual and necessary expenses.

(2) The board shall make recommendations to the director on the appropriate uses of farmland in the trust, criteria to be used to select applicants for the program, and review and make recommendations regarding applications to lease farmland in the trust.

(3) Members shall serve five-year terms, with each term beginning July first and ending June thirtieth; except that, of the members initially appointed two shall be appointed for a term of three years, two shall be appointed for a term of four years, and one shall be appointed for a term of five years. Each member shall serve until his or her successor is appointed. Any vacancies occurring prior to the expiration of a term shall be filled by appointment for the remainder of such term. No member shall serve more than two consecutive terms.

4. The department of agriculture is authorized to accept or acquire by purchase, lease, donation, or agreement any agricultural lands, easements, real and personal property, or rights in lands, easements, or real and personal property, including but not limited to buildings, structures, improvements, equipment, or facilities subject to preservation and improvement. Such lands shall be properties of the Missouri farmland trust for purposes of this section and shall be governed by the provisions of this section and rules promulgated thereunder.

5. (1) There is hereby created in the state treasury the "Missouri Farmland Trust Fund", which shall consist of all gifts, bequests, donations, transfers, and moneys appropriated by the general assembly under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used for the administration of this section and may be used to make payments to counties for the value of land as payment in lieu of real and personal property taxes for privately owned land acquired after the effective date of this section in such amounts as determined by the department; except that, the amount determined shall not be less than the real property tax paid at the time of acquisition. The department of agriculture may require applicants who are awarded leases to pay the property taxes owed under this section for such property.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department of agriculture is authorized to accept all moneys, appropriations, gifts, bequests, donations, or other contributions of moneys or other real or personal property to be expended or used for any of the purposes of this section. The department may improve, maintain, operate, and regulate any such lands, easements, or real or personal property to promote agriculture and the general welfare using moneys in the fund. Property acquired by the department under this section shall be used for agricultural purposes. The director shall establish by rule guidelines for leasing farmland to the trust to beginning farmers for a period not to exceed twenty years. All property acquired by the department under this section shall be farmed and maintained using the best environmental, conservation, and stewardship practices as outlined by the department. The department may charge an administrative fee for lease application processing under this section.

7. The department, in consultation with the Missouri farmland advisory board, shall promulgate rules to implement the provisions of this section, including but not limited to requirements for lessees, selection process

for granting leases, and the terms of the lease, including requirements for applicants, renewal process, requirements for the maintenance of real and personal property by the lessee, and conditions for the termination of leases.

8. Any person or entity donating land to or leasing land from the department shall forever release the state of Missouri, the Missouri department of agriculture, the department's director, officers, employees, volunteers, agents, contractors, servants, heirs, successors, assigns, persons, firms, corporations, representatives, and other entities who are or who will be acting in concert or privity with or on behalf of the state from any and all actions, claims, or demands that he or she, family members, heirs, successors, assigns, agents, servants, employees, distributees, guardians, next-of-kin, spouse, and legal representatives now have or may have in the future for any injury, death, property damage related to:

- (1) Participation in such activities;
- (2) The negligence, intentional acts, or other acts, whether directly connected to such activities or not, and however caused; and
- (3) The condition of the premises where such activities occur.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Klippenstein, **House Amendment No. 4** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt				

2320 *Journal of the House*

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Diehl	Hughes	McGeoghegan	McGhee
Parkinson	Ruzicka	Scharnhorst	Schatz	Webb
Webber	Zerr	Mr Speaker		

VACANCIES: 004

On motion of Representative Loehner, **HCS SCS SB 356, as amended**, was adopted.

On motion of Representative Loehner, **HCS SCS SB 356, as amended**, was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Talboy	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 038

Anders	Atkins	Carlson	Carter	Casey
Conway 27	Ellinger	Fallert	Funderburk	Harris
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 013

Berry	Day	Diehl	Hughes	McGeoghegan
Nolte	Schatz	Schneider	Schoeller	Wallingford
Webb	Webber	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

2322 *Journal of the House*

NOES: 020

Anders	Atkins	Berry	Carlson	Colona
Kirkton	Marshall	May	McDonald	McNeil
Montecillo	Nichols	Oxford	Pierson	Rizzo
Schupp	Smith 71	Still	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 012

Conway 27	Day	Diehl	Franz	Hughes
McGeoghegan	Nolte	Schatz	Schneider	Webb
Webber	Mr Speaker			

VACANCIES: 004

HCS SS SB 360, relating to rural community development, was taken up by Representative Wyatt.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 17, Section 226.224, Line 17, by inserting after all of said section and line the following:

“305.300. **1.** The governing body of any county may create an airport authority to build or acquire and operate one or more airports within the boundaries of the county or an adjoining county. The authority shall be created by resolution of the governing body not sooner than ten days after public notice is posted at the courthouse announcing the intention of forming such a body.

2. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants may create an airport authority within the boundaries of the city in the same manner as provided in sections 305.300 to 305.333.

3. The governing body of any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants, any county of the first classification with more than forty thousand seven hundred but fewer than forty thousand eight hundred inhabitants and any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants or any two of the counties may create an airport authority within the boundaries of the counties in the same manner as provided in sections 305.300 to 305.333.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Line 19, by inserting immediately following the number “**305.333.**” on said line the following:

“No tax shall be imposed by an authority created under this subsection in any county where such tax was not approved by the voters.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Burlison offered **House Amendment No. 2 to House Amendment No. 1**.

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Lines 8-11, by deleting all of said lines; and

Further amend said amendment, page, Line 12, by deleting the number "3" and inserting the number "2"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Weter raised a point of order that **House Amendment No. 2 to House Amendment No. 1** is in the third degree.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Burlison, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Kelly (24), **House Amendment No. 1, as amended**, was adopted.

Representative Franklin offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section A, Page 1, Line 4, by inserting the following after all of said line:

"67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) **"Registered voter", any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the

board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.**

[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the Law Enforcement District to adopt property taxes be terminated?

☐ YES

☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES

☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs

or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill 360, Page 1, Section A, Line 4, by inserting the following after all of said line:

"67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

- (b) The district's personal property, except in a city not within a county; or
- (c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;
- (12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;
- (13) To loan money as provided in sections 67.1401 to 67.1571;
- (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;
- (15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;
- (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:
 - (a) Pedestrian or shopping malls and plazas;
 - (b) Parks, lawns, trees, and any other landscape;
 - (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;
 - (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;
 - (e) Parking lots, garages, or other facilities;
 - (f) Lakes, dams, and waterways;
 - (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;
 - (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
 - (i) Paintings, murals, display cases, sculptures, and fountains;
 - (j) Music, news, and child-care facilities; [and]
 - (k) **Any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project or a solar thermal energy project, whether such real or personal property is publicly or privately owned; and**
 - (l) Any other useful, necessary, or desired improvement;
- (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
- (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
- (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
- (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
- (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
- (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property, **including, but not limited to, real or personal property installed as part of a special energy improvement project;**
- (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
- (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
- (25) To provide or support training programs for employees of businesses within the district;
- (26) To provide refuse collection and disposal services within the district;
- (27) To contract for or conduct economic, planning, marketing or other studies;
- (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
- (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

- (1) Within its blighted area, to contract with any private property owner to demolish [and], remove, renovate, reconstruct, **construct**, or rehabilitate any building [or], structure, **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

Representative Largent offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting the following after all of said line:

“137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) [The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2008, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized.] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on August 28, 2020**; and

[(3)] **(2)** This section shall terminate on September [first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **1, 2021.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Largent, **House Amendment No. 4** was adopted.

Representative Weter offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Pages 16-17, Section 226.224, Lines 1-17, by deleting all of said section and lines, and inserting in lieu thereof the following:

"226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 5** was adopted.

Representative Funderburk offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting after all of said line the following:

"144.054. 1. As used in this section, the following terms mean:

(1) "Essential" refers to an activity necessary and indispensable to the process of manufacturing, without which the actual process of manufacturing could not take place;

(2) "Manufacturing, processing, compounding, mining, or producing", includes testing, installing, calibrating, maintaining, repairing, restoring, and all other activities of the manufacturer, processor, compounder, miner, or producer essential to manufacturing, processing, compounding, mining, or producing;

(3) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

[(2)] (4) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. **The exemptions granted in this subsection include chemicals, machinery, equipment, and other materials essential to the processes of repairing and maintaining manufacturing equipment. Activities deemed nonessential and thus not exempt under this section shall include, but are not limited to, transportation, delivery, human resources activities, accounting, and other activities that are not part of the manufacturing process.** The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section A, Page 1, Line 4, by inserting the following after all of said line:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

Representative Solon offered **House Amendment No. 8**.

Representative Brandom raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Nance offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section 67.4520, Page 5, Line 51, by inserting the following after all of said line:

“94.585. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of funding the construction, maintenance, operation, and equipping of a community center and retiring any bonds issued for such purposes. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax and issue bonds under this section. Such a proposal may include only the proposal to impose a sales tax or a proposal to issue bonds and to impose a sales tax to retire such bonds.

3. The ballot of submission shall contain, but need not be limited to the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) impose a sales tax of (insert amount) for a period of twenty-five years for the purpose of funding the construction, maintenance, operation, and equipping of a community center which may include the retirement of debt under previously authorized bonded indebtedness?

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) issue bonds in the amount of (insert amount) for a period of twenty-five years to fund construction, maintenance, operation, and equipping of a community center and impose a sales tax of (insert amount) to repay bonds?

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax, except that any proposal submitted to issue bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Community Center Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special fund which are not needed for meeting current obligations under any bond issued under this section or for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

9. No sales tax imposed under this section shall be terminated until all of any bonds issued under this section have been retired.

10. The sales tax imposed under this section shall be imposed for a period of twenty-five years, and may be extended upon the approval of the voters of the city in the same manner in which the sales tax was adopted.

11. The city shall establish a board consisting of seven members, one of which shall be the mayor of the city, to administer the provisions of this section with such powers and duties which shall be delegated by the governing body of the city.

12. No bonds issued under this section shall be refinanced for a term longer than the number of years remaining on the original terms of the bonds being refinanced without the approval of the voters of the city. Any proposal to refinance such bonds submitted to the voters shall include the number of years the bonds will be refinanced and the number of years the sales tax will be extended to repay such refinanced bonds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 9** was adopted.

Representative Cookson offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than five thousand nine hundred but fewer than six thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state

general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in (name of county) at a rate of (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 10** was adopted.

Representative Schneider offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting after all of said line the following:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the

assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kander raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Cross	Day	Hough	Hughes
Lasater	McGeoghegan	Nasheed	Quinn	Reiboldt
Shumake	Spreng	Wallingford	Webber	

VACANCIES: 004

Representative Schneider moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Brandom	Brattin	Brown 116	Burlison	Cookson
Cox	Crawford	Cross	Davis	Elmer
Fisher	Franz	Funderburk	Hinson	Korman
Kratky	Lair	Lant	Leach	McGhee
Nance	Nasheed	Nolte	Parkinson	Pollock
Richardson	Ruzicka	Sater	Schatz	Schneider
Schoeller	Stream	White	Wieland	Wright

NOES: 114

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brown 50	Brown 85	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Curtman	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lampe
Largent	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCann Beatty	McDonald
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Neth	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Schad
Scharnhorst	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Wells	Weter	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Holsman	Hughes	Lasater	McCaherty
McGeoghegan	Thomson	Wallingford	Webber	Mr Speaker

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Torpey	Wells	Weter	Wieland
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Diehl	Hughes	Korman	Lasater
Long	McCaherty	McGeoghegan	McGhee	Redmon
Spreng	Thomson	Wallingford	Webber	White
Wright	Mr Speaker			

VACANCIES: 004

On motion of Representative Wyatt, **HCS SS SB 360, as amended**, was adopted.

On motion of Representative Wyatt, **HCS SS SB 360, as amended**, was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 006

Kirkton	Marshall	Oxford	Schieber	Schupp
Still				

PRESENT: 000

ABSENT WITH LEAVE: 011

Burlison	Day	Diehl	Flanigan	Hughes
Lasater	McGeoghegan	McNary	Schneider	Wallingford
Webber				

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Thomson
Torpey	Walton Gray	Webb	Wells	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 010

Anders	Atkins	Brattin	Gosen	Leach
Marshall	Oxford	Pierson	Schieber	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Colona	Day	Flanigan	Higdon
Hughes	Lasater	McGeoghegan	Schad	Swearingen
Talboy	Wallingford	Webber	White	Wright

VACANCIES: 004

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HBs 116 & 316, as amended, relating to collection of state moneys, was taken up by Representative Flanigan.

Representative Flanigan moved that the House refuse to adopt **SS SCS HCS HBs 116 & 316, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Which motion was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Carlson	Kirkton	Newman	Oxford	Schupp
Spreng	Still			

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 14	Day	Hughes	Lasater	Loehner
McGeoghegan	Pollock	Schad	Webber	

VACANCIES: 004

RECESS

On motion of Representative Jones (89), the House recessed until 4:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

THIRD READING OF SENATE BILLS

SS SCS SB 70, relating to the Missouri Family Trust, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, Page 1, In the Title, Line 3, by inserting after "RSMo," the following:

"and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after "RSMo," the following:

"and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session,"; and

Further amend said bill, Page 17, Section 402.210, Line 56, by inserting after all of said line the following:

"[402.210. 1. There is hereby created the "Missouri Family Trust Board of Trustees", which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the governor with the advice and consent of the senate. The members' terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482 and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability or are the recipients of services provided by the department in the treatment of mental illness. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who are recipients of services provided by the department in the habilitation of [the mentally retarded or developmentally disabled] **persons with intellectual disabilities or developmental disabilities**. The Missouri [advisory council on mental retardation and] developmental disabilities **council**, created pursuant to section 633.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri [advisory council on mental retardation and] developmental disabilities **council** shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term "immediate family" includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Houghton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, Page 1, Line 4 of the Title, by deleting the words "the Missouri family trust" and inserting in lieu thereof the words "contractual acts"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after said line the following:

"34.376. 1. Sections 34.376 to 34.380 may be known as the "Transparency in Private Attorney Contracts Act".

2. As used in sections 34.376 to 34.380, the following terms shall mean:

- (1) "Government attorney", an attorney employed by the state as an assistant attorney general;**
- (2) "Private attorney", any private attorney or law firm;**
- (3) "State", the state of Missouri, in any action instituted by the attorney general under section 27.060.**

34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:

- (1) Whether there exist sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;**
- (2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**
- (3) The geographic area where the attorney services are to be provided; and**
- (4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.**

2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request proposals from private attorneys to represent the department on a contingency fee basis, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing.

3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.

4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:

- (1) The government attorneys shall retain complete control over the course and conduct of the case;**
 - (2) A government attorney with supervisory authority shall be personally involved in overseeing the litigation;**
 - (3) The government attorneys shall retain veto power over any decisions made by outside counsel;**
 - (4) A government attorney with supervisory authority for the case shall attend all settlement conferences;**
- and**

(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the government attorneys and the state.

5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.

6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall make all such records available for inspection and copying upon request in accordance with chapter 610. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Carlson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

On motion of Representative Houghton, **House Amendment No. 2** was adopted.

On motion of Representative Franz, **SS SCS SB 70, as amended**, was read the third time and passed by the following vote:

AYES: 104

Anders	Asbury	Atkins	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dugger	Entlicher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore

2348 *Journal of the House*

Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	McCaherty	McNary	McNeil	Molendorp
Montecillo	Nance	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Redmon
Riddle	Rizzo	Ruzicka	Sater	Schieffer
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 055

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Brown 50	Brown 116	Carter	Casey
Curtman	Day	Dieckhaus	Diehl	Ellinger
Elmer	Fallert	Fisher	Flanigan	Funderburk
Gatschenberger	Holsman	Hoskins	Hughes	Koenig
Lichtenegger	Loehner	Long	Marshall	May
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
Meadows	Nasheed	Neth	Newman	Parkinson
Quinn	Reiboldt	Richardson	Rowland	Schad
Scharnhorst	Schatz	Schieber	Schneider	Sifton
Smith 150	Stream	Webb	Webber	Wyatt

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS SB 180, relating to state awareness observance, was taken up by Representative Torpey.

Representative Torpey moved that **HCS SB 180** be adopted.

Which motion was defeated.

On motion of Representative Torpey, **SB 180** was truly agreed to and finally passed by the following vote:

AYES: 137

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Allen	Barnes	Brown 50	Cookson	Diehl
Flanigan	Funderburk	Gatschenberger	Houghton	Hughes
Jones 117	McDonald	McGeoghegan	Meadows	Nasheed
Parkinson	Quinn	Scharnhorst	Schneider	Stream
Webb	Webber			

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS SS SCS SB 254, relating to intoxication-related traffic offenses, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Page 10, Section 577.023, Lines 110 to 177, by deleting all of said lines and inserting in lieu thereof the following:

“the jury outside of its hearing.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 1-2, Section 302.309, Lines 12-26, by deleting all of said lines and inserting in lieu thereof the following:

“(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;**
 - (b) Seeking medical treatment for such operator;**
 - (c) Attending school or other institution of higher education;**
 - (d) Attending alcohol or drug treatment programs;**
 - (e) Seeking the required services of a certified ignition interlock device provider; or**
 - (f) Any other circumstance the court or director finds would create an undue hardship on the operator;**
- the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.**

[(2)] (3) When any court of record having jurisdiction or the director of revenue finds that an operator convicted of violating the provisions of section 577.010 or 577.012 is required to operate a motor vehicle in connection with any of the following:

- (a) [A business, occupation, or] Driving to or from the operator's places of employment;**
- (b) [Seeking medical treatment for such operator;**
- (c)] Attending school or other institution of higher education;**
- [(d)] (c) Attending alcohol or drug treatment programs; or**
- [(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or**
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.”; and**

Renumber subsequent subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara assumed the Chair.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

On motion of Representative Cox, **HCS SS SCS SB 254, as amended**, was adopted.

On motion of Representative Cox, **HCS SS SCS SB 254, as amended**, was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Colona

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Elmer	Hughes	Loehner	McGeoghegan
Nasheed	Webber			

VACANCIES: 004

Representative Leara declared the bill passed.

HCS#2 SCS SB 117, relating to state and political subdivisions, was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 32.420, Page 10, Line 3, by inserting the following at the end of said line:

“This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

Representative Diehl offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 1, In the Title, Line 3, by inserting after the number "168.071," the number "215.020,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "168.071," the number "215.020,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after the number "205.205," the number "215.020,"; and

Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said line the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.

6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Jones (89) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section the following:

"72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees.

Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 3** was adopted.

Representative Schoeller offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 22, Section 105.716, Line 40, by inserting after all of said line the following:

- “135.630. 1. As used in this section, the following terms mean:
- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
 - (2) "Director", the director of the department of social services;
 - (3) "Pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
 - (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and

in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset] **Pursuant to section 23.253 of the Missouri sunset act, the**

provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on August 28, 2015.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 4** was adopted.

Representative Fuhr offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 41, Section 250.140, Line 34, by inserting after all of said section and line the following:

“311.728. There is hereby created in the state treasury the “Division of Alcohol and Tobacco Control Enforcement Fund”, which shall consist of money collected under subsection 2 of section 311.730. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this chapter. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

311.730. 1. All **inspection and gauging** fees collected by the director of revenue as provided for in this chapter[, including licenses, inspection and gauging fees,] shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

2. All license fees shall be distributed equally between the ordinary state revenue fund and the alcohol and tobacco control enforcement fund established pursuant to section 311.728.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 5** was adopted.

Representative Fitzwater offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 27, Section 144.032, Line 4, by inserting after the number **"67.729"** the words **"or 205.205"**; and

Further amend said bill, Page 27, Section 144.032, Line 5, by deleting the number **"205.205"** and inserting in lieu thereof the number **"206.165"**; and

Further amend said bill, Page 39, Section 168.071, Line 114, by inserting after said line the following:

“205.205. 1. The governing body of any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, and operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county hospital under this chapter and impose a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall

be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county."; and

Further amend said bill, Page 39, Section 205.205, Line 1, by deleting "**205.205**" and inserting in lieu thereof the number "**206.165**"; and

Further amend said bill, Page 39, Section 205.205, Line 2, by deleting "**205.160 to 205.379**" and inserting in lieu thereof "**206.010 to 206.160**"; and

Further amend said bill, Page 51, Section B, Line 3, by deleting "**205.205**" and inserting in lieu thereof the number "**206.165**"; and

Further amend said bill, Page 51, Section B, Line 6, by deleting "205.205" and inserting in lieu thereof the number "206.165"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 67.1303, Page 18, Line 124, by inserting the following after all of said line:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill, Page 24, Section 137.082, Line 86, by inserting after all of said section and line the following:

“140.410. In all cases where lands have been or may hereafter be sold for delinquent taxes, penalty, interest and costs due thereon, and a certificate of purchase has been or may hereafter be issued, it is hereby made the duty of such purchaser, his heirs or assigns, to cause **all subsequent taxes to be paid on the property purchased prior to the issuance of any collector’s deed, and the purchaser shall further cause** a deed to be executed and placed on record in the proper county **all** within two years from the date of said sale; provided, that on failure of said purchaser, his heirs or assigns so to do, then and in that case the amount due such purchaser shall cease to be a lien on said lands so purchased as herein provided. **Upon the purchaser’s forfeiture of all rights of the property acquired by the certificate of purchase issued, and including the nonpayment of all subsequent years’ taxes as described in this section, it shall be the responsibility of the collector to record the cancellation of the certificate of purchase in the office of the recorder of deeds of the county.** Certificates of purchase cannot be assigned to nonresidents or delinquent taxpayers. **However,** any person purchasing property at a delinquent land tax sale **who meets the requirements of this section, prior to receiving a collector’s deed,** shall pay to the collector the fee necessary for the recording of such [collector] **collector’s deed** to be issued. It shall be the responsibility of the collector to record the deed before delivering such deed to the purchaser of the property.”; and

Further amend said bill, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

“[140.660. The state tax commission shall prescribe the forms of all certificates, blanks and books required under the provisions of this law and shall, with the advice of the attorney general, decide all questions that arise in reference to the true construction or interpretation of this law, or any part thereof, with reference to the powers and duties of county or township tax officers, and the decision shall have force and effect until modified or annulled by the judgment or decree of a court of competent jurisdiction.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

Representative Higdon offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section and line the following:

“94.900. 1. **(1)** The governing body of **the following cities may impose a tax as provided in this section:**
(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants[, or];
(b) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants[, or];

(c) Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants[, or];

(d) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

(e) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue

of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

“Section 3. 1. The governing body of any home rule city with more than eighty-four thousand five hundred but fewer than eighty-four thousand six hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of capital improvements for public safety for such city, including but not limited to expenditures for new construction and equipment, repair and maintenance of buildings and equipment, and for financing such capital improvements for public safety. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of capital improvements for public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for capital improvements for public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for capital improvements for public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Capital Improvements for Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys

deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 8** was adopted.

Representative Scharnhorst offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section and line the following:

“32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's

records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149 as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

(h) To the public solely relating to the number of cigarettes sold annually by each tobacco product manufacturer, including but not limited to such information obtained by the department under sections 196.1020 to 196.1035;

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148 by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040 of a list of vendors and their affiliates who meet the conditions of section 144.635, but refuse to collect the use tax levied pursuant to chapter 144 on their sales delivered to this state;

(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any statewide elected public official.

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143 or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz offered House Amendment No. 1 to House Amendment No. 9.

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section the following:

“32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149 as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

(h) To the public solely relating to the units sold each year by each tobacco product manufacturer;

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148 by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040 of a list of vendors and their affiliates who meet the conditions of section 144.635, but refuse to collect the use tax levied pursuant to chapter 144 on their sales delivered to this state;

(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any statewide elected public official.

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143 or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 046

Anders	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Atkins	Carter	Diehl	Funderburk
Grisamore	Guernsey	Hinson	McGeoghegan	Nichols
Richardson	Schad	Schneider	Spreng	Taylor
Webb	Webber	Mr Speaker		

VACANCIES: 004

Representative Scharnhorst moved that **House Amendment No. 9, as amended**, be adopted.

Which motion was defeated.

Representative Nance offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 70.730, Page 20, Line 52, by inserting the following after all of said line:

“94.585. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of funding the construction, maintenance, operation, and equipping of a community center and retiring any bonds issued for such purposes. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax and issue bonds under this section. Such a proposal may include only the proposal to impose a sales tax or a proposal to issue bonds and to impose a sales tax to retire such bonds.

3. The ballot of submission shall contain, but need not be limited to the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) impose a sales tax of (insert amount) for a period of twenty-five years for the purpose of funding the construction, maintenance, operation, and equipping of a community center which may include the retirement of debt under previously authorized bonded indebtedness?

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) issue bonds in the amount of (insert amount) for a period of twenty-five years to fund construction, maintenance, operation, and equipping of a community center and impose a sales tax of (insert amount) to repay bonds?

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax, except that any proposal submitted to issue bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Community Center Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special fund which are not needed for meeting current obligations under any bond issued under this section or for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

9. No sales tax imposed under this section shall be terminated until all of any bonds issued under this section have been retired.

10. The sales tax imposed under this section shall be imposed for a period of twenty-five years, and may be extended upon the approval of the voters of the city in the same manner in which the sales tax was adopted.

11. The city shall establish a board consisting of seven members, one of which shall be the mayor of the city, to administer the provisions of this section with such powers and duties which shall be delegated by the governing body of the city.

12. No bonds issued under this section shall be refinanced for a term longer than the number of years remaining on the original terms of the bonds being refinanced without the approval of the voters of the city. Any proposal to refinance such bonds submitted to the voters shall include the number of years the bonds will be refinanced and the number of years the sales tax will be extended to repay such refinanced bonds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 10** was adopted.

Representative Nolte offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 24, Section 137.082, Line 86, by inserting after all of said section and line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;
- (5) Poultry, twelve percent; and
- (6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection

11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

17. (1) As used in this subsection, the following terms mean:

(a) "Disabled", totally and permanently disabled or blind and receiving federal Social Security disability benefits, federal supplemental security income benefits, veterans administration benefits, state blind pension under sections 209.010 to 209.160, state aid to blind persons under section 209.240, or state supplemental payments under section 208.030;

(b) "Maximum upper limit", in the calendar year 2012, the federal adjusted gross income sum of seventy-two thousand three hundred eighty dollars. In each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined under section 17, article X, of the Missouri Constitution;

(c) "Principal residence", real property owned and occupied by or held in trust for a qualified taxpayer, or owned and occupied jointly by or held in trust for any individuals, any of whom is a qualified taxpayer;

(d) "Qualified taxpayer", any individual who:

a. Owns and occupies a principal residence;

b. Is sixty-five years of age or older, or is disabled;

c. Had a federal adjusted gross income not exceeding the maximum upper limit in the year before becoming qualified under this subsection.

(2) Notwithstanding any other provision of law to the contrary, for all property assessments conducted after December 31, 2011, the assessed valuation of a principal residence shall not increase by a percentage greater than the cost-of-living increase in Social Security benefits in the previous year, except as otherwise provided in this subsection, in any assessment conducted after the qualified taxpayer has reached sixty-five years of age or has become disabled.

(3) This subsection shall not apply to any increase in the assessed valuation of a principal residence due to an improvement made on the principal residence, unless the improvement was made solely for increased accessibility for individuals with physical disabilities.

(4) This subsection shall not apply to any increase in the assessed valuation of a principal residence after the conveyance of the principal residence to another individual who is not a qualified taxpayer. The assessed valuation of such principal residence shall be the assessed valuation as provided in subsections 1 to 16 of this section in the next annual assessment.

(5) Upon reaching sixty-five years of age, information regarding the age and income of qualified taxpayers that own and occupy a principal residence in this state shall be provided to the county assessor by affidavit by the owner of the real property before the next assessment is conducted to be eligible for assessment under this subsection. Any qualified taxpayer who is disabled or becomes disabled before the next assessment is conducted shall provide by affidavit proof of disability to the county assessor to claim assessment under this subsection. All qualified taxpayers claiming assessment under this subsection shall annually file such affidavit before the next assessment is conducted to be eligible for assessment under this subsection. Such affidavit shall clearly contain an acceptable standard of proof to reasonably determine whether the person submitting the affidavit is a qualified taxpayer. The state tax commission shall develop and make available to assessors a form for such affidavit and a method for assessors to determine the proper percentage of increase for such property owned by a qualified taxpayer that files such affidavit.

(6) The state tax commission may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

(7) Under section 23.253 of the Missouri sunset act:

(a) The provisions of the new program authorized under this subsection shall automatically sunset on December thirty-first six years after the effective date of this subsection unless reauthorized by an act of the general assembly; and

(b) If such program is reauthorized, the program authorized under this subsection shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this subsection; and

(c) This subsection shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this subsection is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 11** was adopted.

Representative Schoeller offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for**

incarcerating the prisoner, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 49, Section 447.708, Line 224, by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 12** was adopted.

Representative McCaherty offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section and line the following:

“32.029. 1. This section shall be known and may be cited as the "Paperless Documents and Forms Act".

2. Beginning no later than January 1, 2012, the department of revenue shall, by January 1, 2018, develop and implement a method by which all documents and forms provided to the public by the department, as well as any records, reports, returns, or other documents required by the department, relating to taxes imposed under chapters 142, 143, 144, and 149, and fees imposed under sections 260.262 and 260.273, are available in an electronic format online and are capable of electronic submission to the department. This section shall not be construed to prohibit the submission of paper forms to the department or to require the department to allow electronic filing of a form that requires a notary or authorization by a third party in order to be effective, or when any other document associated with the form, either expressly or by implication, requires a third party to notarize, authorize, or issue the document. Notwithstanding any other provision of law to the contrary, no electronic form shall be invalid solely because a paper version of the form has been incorporated or otherwise referenced in a rule.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 13** was adopted.

Representative Thomson offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

“[163.037. In any school year after the 2009-10 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-06 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, shall include the addition of the product of twenty-five hundredth times the average daily attendance for summer school.]”; and

Further amend said bill, Page 51, Section B, Line 2, by inserting immediately after the word “revenue” the following:

“, and to provide adequate funding to school districts, the repeal of section 163.037,”; and

Further amend said bill, page, and section, Line 5, by inserting immediately after the first occurrence of the word “and” the following:

“the repeal of section 163.037,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 14** was adopted.

Representative Weter offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 18, Section 67.1303, Line 124, by inserting after all of said line the following:

“67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:

(1) "Authority", any county drinking water supply lake authority created by sections 67.4500 to 67.4520;
(2) "Conservation storage level", the target elevation established for a drinking water supply lake at the time of design and construction of such lake;

(3) "Costs", the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;

(4) "Project", recreation and tourist facilities and services, including, but not limited to, lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings, and any extensions or improvements of any facilities, and the acquisition of any property necessary therefore, all as may be related to the development of a water supply source, recreational and tourist accommodations, and facilities;

(5) "Water commission", a water commission owning a reservoir formed under sections 393.700 to 393.770;

(6) "Watershed", the area that contributes or may contribute to the surface water of any lake as determined by the authority.

67.4505. 1. Any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants or any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county drinking water supply lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. The authority may exercise the powers provided to it under section 67.4520 over the reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or more, as measured at its conservation storage level, and within the lake's watershed.

3. It shall be the purpose of each authority to promote the general welfare and a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake.

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality, or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation, or maintenance of any project or program undertaken under sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such project or program.

67.4510. A county drinking water supply lake authority shall consist of at least six but not more than thirty members, appointed as follows:

(1) Members of the water commission shall appoint all members to the authority, one-third of the initial members for a six-year term, one-third for a four-year term, and the remaining one-third for a two-year term, until a successor is appointed; provided that, if there is an odd number of members, the last person appointed shall serve a two-year term. Upon the expiration of each term, a successor shall be appointed for a six-year term;

(2) No person shall be appointed to serve on the authority unless he or she is a registered voter in the state for more than five years, a resident in the county where the water commission is located for more than five years, and over the age of twenty-five years. If any member moves outside such county, the seat shall be deemed vacant and a new member shall be appointed by the county commission to complete the unexpired term.

67.4515. 1. The water commission shall by resolution establish a date and time for the initial meeting of the authority.

2. At the initial meeting, and annually thereafter, the authority shall elect one of its members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may be a member of the authority. If not a member of the authority, the secretary or treasurer shall receive compensation that shall be fixed from time to time by action of the authority. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority may designate the secretary to act in lieu of the executive director. The secretary shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may from time to time deem proper and necessary.

3. Each member of the authority shall execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond covering each member and the employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in the state as surety, and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the authority.

4. No authority member shall participate in any deliberations or decisions concerning issues where the authority member has a direct financial interest in contracts, property, supplies, services, facilities, or equipment purchased, sold, or leased by the authority. Authority members shall additionally be subject to the limitations regarding the conduct of public officials as provided in chapter 105.

67.4520. 1. The authority may:

- (1) Acquire, own, construct, lease, and maintain recreational or water quality projects;**
- (2) Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property necessary to fulfill the purposes of the authority;**
- (3) Contract and be contracted with, and to sue and be sued;**
- (4) Accept gifts, grants, loans, or contributions from the federal government, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individuals, partnerships, or corporations;**
- (5) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The authority may also contract with independent contractors for any of the foregoing assistance;**
- (6) Disburse funds for its lawful activities and fix salaries and wages of its employees;**
- (7) Fix rates, fees, and charges for the use of any projects and property owned, leased, operated, or managed by the authority;**
- (8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted; however, said bylaws, rules, and regulations shall not exceed the powers granted to the authority by sections 67.4500 to 67.4520;**
- (9) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement;**
- (10) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of the authority and development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;**
- (11) Cooperate with municipalities and other political subdivisions as provided in chapter 70;**
- (12) Enter into any agreement with any other state, agency, authority, commission, municipality, person, corporation, or the United States, to effect any of the provisions contained in sections 67.4500 to 67.4520;**
- (13) Sell and supply water and construct, own, and operate infrastructure projects in areas within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and other infrastructure improvements;**
- (14) Issue revenue bonds in the same manner as provided under section 67.789; and**
- (15) Adopt tax increment financing within its boundaries in the same manner as provided under section 67.790.**

2. The state or any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to the authority or may place in its possession or control, by deed, lease, or other contract or agreement, either for a limited period or in fee, any property wherever situated.

3. The state or any political subdivision may appropriate, allocate, and expend such funds of the state or political subdivision for the benefit of the authority as are reasonable and necessary to carry out the provisions of sections 67.4500 to 67.4520.

4. The authority shall have the authority to exercise all zoning and planning powers that are granted to cities, towns, and villages under chapter 89, except that the authority shall not exercise such powers inside the corporate limits of any city, town, or village which has adopted a city plan under the laws of this state before August 28, 2011.”; and

Further amend said bill, Page 22, Section 105.716, Line 40, by inserting after all of said section and line the following:

“135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

- (1) "Average wage", the new payroll divided by the number of new jobs;**
- (2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. **The term "blighted area" shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable****

energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;

(3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;

(4) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) "Department", the department of economic development;

(7) "Director", the director of the department of economic development;

(8) "Employee", a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) "Enhanced business enterprise", an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state's economic security and growth; or

(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) "Facility", any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(12) "Facility base employment", the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) "Facility base payroll", the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) "Governing authority", the body holding primary legislative authority over a county or incorporated municipality;

(15) "Megaproject", any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of eight years from the date of approval by the department;

(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) "New business facility", a facility that **does not produce or generate electrical energy from a renewable energy resource and** satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (25) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(20) "New job", the number of employees located at the facility that exceeds the facility base employment less any decrease in the number of the employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(21) "Notice of intent", a form developed by the department which is completed by the enhanced business enterprise and submitted to the department which states the enhanced business enterprise's intent to hire new jobs and request benefits under such program;

(22) "Related facility", a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) "Related facility base employment", the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or
(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) "Related taxpayer":

(a) A corporation, partnership, trust, or association controlled by the taxpayer;
(b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or
(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) **"Renewable energy generation zone", an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(26) **"Renewable energy resource", shall include:**

(a) **Wind;**
(b) **Solar thermal sources or photovoltaic cells and panels;**
(c) **Dedicated crops grown for energy production;**
(d) **Cellulosic agricultural residues;**
(e) **Plant residues;**
(f) **Methane from landfills, agricultural operations, or wastewater treatment;**
(g) **Thermal depolymerization or pyrolysis for converting waste material to energy;**
(h) **Clean and untreated wood such as pallets;**
(i) **Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;**
(j) **Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or**
(k) **Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of natural resources;**

(27) "Replacement business facility", a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

[(26)] (28) "Same or substantially similar enhanced business enterprise", an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another enhanced business enterprise.

135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

- (1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and
- (2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

- (a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

- (b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

- (3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

- (4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

- (a) The state of Missouri over the previous twelve months; or

- (b) The county or city not within a county over the previous twelve months.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

- (1) The potential to create sustainable jobs in a targeted industry; or

- (2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution **or ordinance** by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. **Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions.** In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) **"Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;**

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

[(3)] (4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, **hydroelectric power generating equipment**, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, water, and sewage;

[(4)] (5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the Nation Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. **Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;**

(2) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, and manufactured home parks, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly, for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution.

7. No property tax classification changes resulting from this section shall have the effect of eliminating employer obligations under chapter 287.”; and

Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said section and line the following:

“226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds.”; and

Further amend said bill, Page 49, Section 447.708, Line 224, by inserting after all of said section and line the following:

“620.2300. 1. As used in this section, the following terms shall mean;

(1) "Department", the Missouri department of economic development;

(2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;

(3) "Commission", the Missouri public service commission;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;

(6) "Major source", the same meaning as is provided under 40 CFR 70.2;

(7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

- (a) The area consists of at least fifty contiguous acres;
- (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;
- (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;
- (d) The development plan for the area includes a biomass facility; and
- (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

- (1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;
- (2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or
- (3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and

Further amend said bill, Page 51, Section B, Line 2, by inserting immediately after the word “revenue” the following:

“and because of the need to ensure the creation of jobs through the utilization of alternative energy sources”; and

Further amend said bill, page and section, Lines 3 and 6, by deleting “and 205.205” and inserting in lieu thereof the following:

“, 205.205, and 620.2300”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 15** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Entlicher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McGhee	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 047

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 025

Atkins	Barnes	Burlison	Cauthorn	Diehl
Elmer	Fisher	Franz	Fuhr	Funderburk
Gosen	Long	McGeoghegan	McManus	McNary
Nasheed	Neth	Richardson	Scharnhorst	Schneider
Spreng	Taylor	Wallingford	Webber	Mr Speaker

VACANCIES: 004

On motion of Representative Flanigan, **HCS#2 SCS SB 117, as amended**, was adopted.

On motion of Representative Flanigan, **HCS#2 SCS SB 117, as amended**, was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 015

Asbury	Cierpiot	Kander	Kirkton	Largent
Marshall	May	Molendorp	Newman	Oxford
Schieber	Schupp	Spreng	Torpey	Walton Gray

PRESENT: 001

McCann Beatty

ABSENT WITH LEAVE: 007

Atkins	Fisher	Franz	Hughes	McGeoghegan
Taylor	Webber			

VACANCIES: 004

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swinger
Talboy	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 011

Anders	Carlson	Marshall	May	Newman
Pierson	Schieber	Schupp	Spreng	Swearingen
Walton Gray				

PRESENT: 002

McCann Beatty	Oxford
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ABSENT WITH LEAVE: 014

Berry	Cauthorn	Cierpiot	Cross	Denison
Diehl	Fisher	Funderburk	Hughes	Lasater
McGeoghegan	Taylor	Webber	Mr Speaker	

VACANCIES: 004

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 89**, entitled:

An act to repeal sections 247.060, 253.090, 386.850, 444.773, 621.250, 643.020, 643.040, 643.050, 643.060, 643.079, 643.080, 643.130, 643.191, 643.225, 643.232, 643.237, 643.240, 643.242, 643.245, 643.250, 643.253, 643.260, 644.036, 644.051, 644.054, 644.071, 701.033, and 701.332, RSMo, and to enact in lieu thereof forty new sections relating to natural resources, with penalty provisions and an emergency clause for certain sections.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Pages 20-21, Section 537.292, by striking all of said section from the bill; and

Further amend said bill, Page 78, Section 1, Line 21 of said page, by striking the following:

"304.120,"; and

Further amend said line, by striking the following:

"537.292,"; and

Further amend said bill, Page 79, Section 1, Line 1 of said page, by striking the following:

"304.120,"; and

Further amend Line 2 of said page, by striking the following:

"537.292,"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Page 10, Section 247.060, Line 6 of said page, by inserting after the word "election" the following:

", or if not a voter or resident of said district, shall have received service from the district at his or her primary place of residence one whole year immediately prior to his or her election".

Senate Amendment No. 3

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Page 21, Section 537.292, Line 16 of said page, by inserting after all of said line the following:

**"620.2300. 1. As used in this section, the following terms shall mean;
(1) "Department", the Missouri department of economic development;**

(2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;

(3) "Commission", the Missouri public service commission;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;

(6) "Major source", the same meaning as is provided under 40 C.F.R. 70.2;

(7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

(a) The area consists of at least fifty contiguous acres;

(b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;

(c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;

(d) The development plan for the area includes a biomass facility; and

(e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and

Further amend said bill, Page 80, Section B, Line 39 of said page, by inserting immediately after "444.771," the following:

"620.2300,"; and

Further amend said bill and section, Page 81, Line 5 of said page, by inserting immediately after "444.771," the following:

"620.2300,"; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 116 & 316** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **SS SCS HCS HBs 116 & 316, as amended**, be allowed to exceed the differences and that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HCS HBs 116 & 316, as amended**. Senators: Purgason, Schmitt, Lager, Callahan and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 151**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 183**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 184**, entitled:

An act to repeal sections 233.280, 537.620, and 537.635, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215**, entitled:

An act to repeal sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, 571.111, and 571.117, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 19, Section 571.085, Lines 13-14 of said page, by striking the following:

", as administered by the United States Secretary of the Treasury,"; and

Further amend Section 571.087, Lines 21-22 of said page, by striking the following:

", as administered by the United States Secretary of the Treasury,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 300, 334 & 387**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 300, 334 & 387, Page 2, Section 167.765, Line 39, by inserting after all of said line the following:

"167.775. 1. Any statewide athletic organization with a public school district as a member shall be required to publish an annual report relating to the impact of concussions and head injuries on student athletes which details efforts that may be made to minimize damages from injuries sustained by students participating in school sports. The annual report shall be distributed to the joint committee on education, the house committee on elementary and secondary education or any other education committee designated by the speaker of the house of representatives, and the senate committee on education or any other education committee designated by the president pro tem of the senate. The first report required under this section shall be completed and distributed no later than January 31, 2012. Such report shall be made available to school districts and to parents of students.

2. Notwithstanding any other law, no public school shall be a member of any statewide athletic organization failing to comply with the provisions of subsection 1 of this section."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 430**, entitled:

An act to repeal sections 21.795, 70.441, 144.030, 226.095, 226.520, 227.107, 301.010, 301.147, 301.225, 301.559, 301.560, 301.562, 302.181, 302.291, 302.309, 302.341, 302.700, 304.120, 304.180, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, 558.021, 571.101, and 577.023, RSMo, and to enact in lieu thereof forty-three new sections relating to transportation, with penalty provisions, a contingent effective dates for certain sections, and effective dates for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 11 and Senate Amendment No. 12.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Pages 79-83, Section 302.181, by striking all of said section from the bill; and

Further amend said bill, Pages 83 to 87, Section 302.291, by striking all of said section from the bill; and

Further amend said bill, Pages 137 to 146, Section 571.101, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 116, Section 304.180, Line 12 of said page, by striking the following:

"the Arkansas state line" and inserting in lieu thereof the following:

"U.S. Highway 36".

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 18, Section 144.030, Line 13 of said page, by striking said line and inserting in lieu thereof the following:

"trailers used by [common] carriers [, as defined in section"; and

Further amend Line 14 of said page, by inserting after "390.020,]" the following:

"who have received federal authority to haul for hire".

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting immediately after said line the following:

"304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 28, Section 144.030, Line 20, by inserting after all of said line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

- (1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;
- (2) For each application or transfer of title--two dollars and fifty cents;
- (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;
- (4) For each notice of lien processed--two dollars and fifty cents;
- (5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. Any person acting as agent of the department of revenue for the collection of sales and use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the actual cost incurred by such person, on behalf of the department of revenue, in the collection of such taxes in accordance with the provisions of Article IV Section 30(b) of the Missouri Constitution.

7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] 8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 155, Section C, Lines 2-13, by striking all of said section from the bill.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 87, Section 302.291, Line 12, by inserting after all of said line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. 2 points

(b) For the second conviction. 4 points

(c) For the third conviction. 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. 12 points

(7) Obtaining a license by misrepresentation. 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined:
driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law. 8 points

In violation of a county or municipal ordinance or federal law or regulation. 8 points

(11) Any felony involving the use of a motor vehicle. 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points

(14) Endangerment of a highway worker in violation of section 304.585. 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

(17) Endangerment of an emergency responder in violation of section 304.894. 4 points

(18) Aggravated endangerment of an emergency responder in violation of section 304.894. 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation

but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

- (1) Exceeding the posted speed limit by fifteen miles per hour or more;
- (2) Passing in violation of subsection 3 of section 304.892;
- (3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;
- (4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;
- (5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;
- (6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or
- (7) Committing any of the following offenses for which points may be assessed under section 302.302:
 - (a) Leaving the scene of an accident in violation of section 577.060;
 - (b) Careless and imprudent driving in violation of subsection 4 of section 304.016;
 - (c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;
 - (d) Operating with a suspended or revoked license;
 - (e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;
 - (f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

"304.920. 1. A county, city, town, village, municipality, state agency, or other political subdivision shall only employ the use of automated speed enforcement systems to enforce speeding violations in a school zone, construction zone, work zone, or a MoDOT-Designated Travel Safe Zone as defined in section 304.590.

2. As used in this section, the term "automated speed enforcement system" means a device with one or more motor vehicle sensors, including, but not limited to, photographic devices, radar devices, laser devices, or other electrical or mechanical devices, designed to record the speed of a motor vehicle and to obtain a clear photograph or other recorded image of the motor vehicle and the motor vehicle's license plate, which automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded image of a motor vehicle at the time it is used or operated in violation of the posted speed limit."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 76, Section 301.562, Line 26 of said page, by inserting after all of said line the following:

"301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a "Breast Cancer Awareness" license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "Breast Cancer Awareness" license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the "Breast Cancer Awareness" plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "Breast Cancer Awareness" plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] The "Breast Cancer Awareness" license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol,] and shall bear the words ["MISSOURI WOMEN'S COUNCIL"] "BREAST CANCER AWARENESS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by

this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. There is hereby created in the state treasury the "Breast Cancer Awareness Fund" which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.

5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.

6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 431**, entitled:

An act to repeal sections 210.112, 210.498, and 210.565, RSMo, and to enact in lieu thereof six new sections relating to foster care and adoption promotion.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 458**, entitled:

An act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 276.401, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof twelve new sections relating to agriculture, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 458, Page 24, Section 411.280, Line 6 of said page, by inserting after all of said line the following:

"442.014. 1. This act shall be known and may be cited as the "Private Landowner Protection Act".

2. As used in this section, unless the context otherwise requires, the following terms mean:

(1) "Conservation easement", a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property;

(2) "Holder", any of the following:

(a) A governmental body empowered to hold an interest in real property under the laws of this state or the United States;

(b) A charitable corporation, charitable association, or charitable trust, the purposes, powers, or intent of which include retaining or protecting the natural, scenic, or open-space values of real property, assuring the availability of real property for agricultural, forest, recreational, or open-space use, protecting natural resources,

maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property; or

(c) An individual or other private entity;

(3) "Third-party right of enforcement", a right expressly provided in a conservation easement to enforce any of its items granted to a designated governmental body, charitable corporation, charitable association, charitable trust, individual, or any other private entity which, although eligible to be a holder, is not a holder.

3. (1) Except as otherwise provided in this section, a conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements. No right or duty in favor of or against a holder and no right in favor of a person having a third-party right of enforcement arises under a conservation easement before its acceptance by the holder and a recordation of the acceptance. Except as provided in subdivision (2) of this subsection, a conservation easement is unlimited in duration unless the instrument creating it provides otherwise.

(2) An interest in real property in existence at the time a conservation easement is created is not impaired by it unless the owner of the interest is a party to the conservation easement or consents to it.

4. (1) An action affecting a conservation easement may be brought by an owner of an interest in real property burdened by the easement; a holder of the easement, a person having a third-party right of enforcement; or a person authorized by other law.

(2) This section does not affect the power of a court to modify or terminate a conservation easement in accordance with the principles of law and equity.

5. A conservation easement is valid even though:

(1) It is not appurtenant to an interest in real property;

(2) It can be or has been assigned to another holder;

(3) It is not of a character that has been recognized traditionally at common law;

(4) It imposes a negative burden that would prevent a landowner from performing acts on the land he or she would otherwise be privileged to perform absent the agreed-upon easement;

(5) It imposes affirmative obligations upon the owner of an interest in the burdened property or upon the holder;

(6) The benefit does not touch or concern real property; or

(7) There is no privity of estate or of contract.

6. Nothing in this section shall affect the ability of any public utility, municipal utility, joint municipal utility commission, rural electric cooperative, telephone cooperative, or public water supply district to acquire an easement, either through negotiation with an owner of an interest in real property or by condemnation, to lay or construct plants or facilities for the transmission or distribution of electricity, natural gas, telecommunications service, water, or the carriage of sewage along or across a conservation easement.

7. This section applies to any interest created after its effective date which complies with this section, whether designated as a conservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise. This section applies to any interest created before its effective date if it would have been enforceable had it been created after its effective date unless retroactive application contravenes the constitution or laws of this state or the United States. This section does not alter the terms of any interest created before its effective date, or impose any additional burden or obligation on any grantor or grantee of such interest, or on their successors or assigns. This section does not invalidate any interest, whether designated as a conservation or preservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise, that is enforceable under other laws of this state."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 458, Page 1, Section A, Line 7 of said page, by inserting after all of said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution

or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying

agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, **and any freight charges on any exempt item.** As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon **and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes,** and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 470 & 429**, entitled:

An act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to the nonresident entertainers tax.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 470 & 429, Page 3, Section 143.183, Line 20, by striking the opening bracket "[" on said line; and

Further amend Line 22, by striking the closing bracket "]""; and

Further amend Line 26, by striking the opening bracket "[" and closing bracket "]" on said line; and

Further amend Page 4, Line 9, by striking the opening bracket "[" on said line; and

Further amend Line 11, by striking the closing bracket "]""; and

Further amend Line 15, by striking the opening bracket "[" on said line; and

Further amend Line 16, by striking the closing bracket "]""; and

Further amend Line 25, by striking the opening bracket "[" on said line; and

Further amend Line 27, by striking the closing bracket "]""; and

Further amend Page 5, Line 3, by striking the opening bracket "[" on said line; and

Further amend Line 4, by striking the closing bracket "]""; and

Further amend Line 14, by striking the opening bracket "[" on said line; and

Further amend Line 16, by striking the closing bracket "]""; and

Further amend Line 20, by striking the opening bracket "[" on said line; and

Further amend Line 21, by striking the closing bracket "]""; and

Further amend Page 6, Line 21, by striking the opening bracket "[" on said line; and

Further amend Line 23, by striking the closing bracket "]""; and

Further amend Line 27, by striking the opening bracket "[" on said line; and

Further amend Line 28, by striking the closing bracket "]"; and

Further amend Page 7, Line 9, by striking the opening bracket "[" on said line; and

Further amend Line 19, by striking the closing bracket "]".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 664**, entitled:

An act to repeal sections 87.005, 87.006, 87.205, and 87.207, RSMo, and to enact in lieu thereof five new sections relating to firemen's retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 675**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SCS HB 737**: Senators Lager, Munzlinger, Pearce, Callahan and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1008**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 60, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 118, as amended**, and has taken up and passed **HCS SS SB 118, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 135, as amended**, and has taken up and passed **CCS HCS SS SB 135**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 173, as amended**, and has taken up and passed **CCS HCS SB 173**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference committee on **HCS SB 220, as amended**, and has adopted **HCS SB 220, as amended**, and taken up and passed **HCS SB 220**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 226, as amended**, and has taken up and passed **CCS HCS SS SB 226**.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS HBs 116 & 316: Representatives Flanigan, Diehl, Jones (117), Kelly (24) and Talboy

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 60, as amended, relating to judicial procedures, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SCS SB 60, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 17, relating to cord blood banking, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 191.758, Line 7, by inserting after all of said line the following:

"191.1100. 1. Sections 191.1100 to 191.1112 shall be known and may be cited as the "Volunteer Health Services Act".

2. As used in sections 191.1100 to 191.1112, the following terms shall mean:

(1) "Health care provider", any physician, surgeon, dentist, nurse, optometrist, mental health professional, or other practitioner of a health care discipline, the professional practice of which requires licensure or certification under state law or under comparable laws of another state, territory, district, or possession of the United States;

(2) "Licensed health care provider", any health care provider holding a current license or certificate issued under:

- (a) Missouri state law;
- (b) Comparable laws of another state, territory, district, or possession of the United States;
- (3) "Regularly practice", to practice more than sixty days within any ninety-day period;
- (4) "Sponsoring organization", any organization that organizes or arranges for the voluntary provision of health care services and registers with the department of health and senior services as a sponsoring organization in accordance with section 191.1106, and charges clients on a sliding scale based on income;
- (5) "Voluntary provision of health care services", the providing of professional health care services by a health care provider without charge to a recipient of the services or a third party.

191.1102. 1. Notwithstanding any provision of law to the contrary, no additional license or certificate otherwise required by state law is necessary for the voluntary provision of health care services by any person who:

- (1) Is a licensed health care provider;
- (2) Lawfully practices under an exception to the licensure or certification requirements of any state, territory, district, or possession of the United States; provided that the person does not and will not regularly practice in the state of Missouri.

2. The provisions of subsection 1 of this section shall not apply to:

- (1) Any person whose license or certificate is suspended or revoked under disciplinary proceedings in any jurisdiction; or
- (2) A licensed health care provider who renders services outside the scope of practice authorized by the provider's licensure, certification, or exception to such licensure or certification.

191.1104. With regard to a person who voluntarily provides health care services and who is covered by the provisions of subsection 1 of section 191.1102, all requirements regarding display of a license or certificate shall be satisfied by the presentation for inspection, upon request, of a photocopy of the applicable license, certificate, or statement of exemption.

191.1106. 1. Before providing volunteer medical services in this state, a sponsoring organization shall register with the department of health and senior services by submitting a registration fee of fifty dollars and filing a registration form. The registration fee shall not apply to any sponsoring organization when providing volunteer health care services in cases of natural or manmade disasters. Such registration form shall contain:

- (1) The name of the sponsoring organization;
- (2) The name of the principal individual or individuals who are the officer's or organization's officials responsible for the operation of the sponsoring organization;
- (3) The address, including street, city, zip code, and county, of the sponsoring organization's principal office address and the same address information for each principal or official listed in subdivision (2) of this subsection;
- (4) Telephone numbers for the principal office of the sponsoring agency and each principal or official listed in subdivision (2) of this subsection; and
- (5) Such additional information as the department shall require.

Upon any change in the information required under this subsection, the sponsoring organization shall notify the department in writing of such change within thirty days of its occurrence.

2. The sponsoring organization shall file a quarterly voluntary services report with the department during the current quarter that lists all licensed health care providers who provided voluntary health care services during the preceding quarter. The sponsoring organization shall maintain on file for five years following the date of service additional information, including the date, place, and type of services provided.

3. Each sponsoring organization shall maintain a list of health care providers associated with its provision of voluntary health services. For each such health care provider, the organization shall maintain a copy of a current license, certificate, or statement of exemption from licensure or certification, or in the event that the health care provider is currently licensed in the state of Missouri, a copy of the health care provider's license verification obtained from a state-sponsored website, if available.

4. The sponsoring organization shall maintain such records for a period of at least five years following the provision of health care services and shall furnish such records upon request to any regulatory board of any healing arts profession established under state law.

5. Compliance with subsections 1 and 2 of this section shall be prima facie evidence that the sponsoring organization has exercised due care in its selection of health care providers.

6. The department may revoke the registration of any sponsoring organization that fails to comply with the requirements of this section.

191.1108. No contract of professional liability insurance covering a health care provider in this state, issued or renewed on or after August 28, 2011, shall exclude coverage to any provider who engages in the voluntary provision of health care services; provided that the sponsoring organization and the health care provider comply with the requirements of sections 191.1100 to 191.1112.

191.1110. 1. (1) No person who is licensed, certified, or authorized by the board of any of the professions of the healing arts and who engages in the voluntary provision of health care services within the limits of the person's license, certificate, or authorization to any patient of a sponsoring organization shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless the act or omission was the result of such person's gross negligence or willful misconduct.

(2) The volunteer licensee who is providing free care shall not receive compensation of any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any nature, from any person for the free care. Nor shall such service be a part of the provider's training or assignment.

(3) The volunteer licensee shall be acting within the scope of such license, certification, or authority.

(4) A health care licensee providing free health care shall not engage in activities at a clinic, or at the health care licensee's office, if the activities are performed on behalf of the sponsoring organization, unless such activities are authorized by the appropriate authorities to be performed at the clinic or office and the clinic or office is in compliance with all applicable regulations.

2. For purposes of this section, any commissioned or contract medical officer or dentist serving on active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or contract medical officer or dentist at any military hospital or medical facility owned and operated by the United States government shall be deemed to be licensed.

191.1112. 1. For purposes of this section, the following terms shall mean:

(1) "Crisis intervention", a session at which crisis response services are rendered by a critical incident stress management team member or qualified mental health professional during or after a crisis or disaster;

(2) "Crisis response services", consultation, risk assessment, referral, and crisis intervention services provided by a critical incident stress management team or qualified mental health professional or paraprofessional trained within the Federal Emergency Management Agency (FEMA) Crisis Counseling Program or in psychological first aid to individuals affected by crisis or disaster;

(3) "Critical incident stress management team member" or "team member", an individual specially trained to provide crisis response services as a member of an organized community or local crisis response team that holds membership in a registered critical incident stress management team;

(4) "Registered team", a team formally registered with a recognized training agency. For purposes of this section, a recognized training agency shall include the International Critical Incident Stress Foundation, the National Organization for Victim Assistance, the National Red Cross, the Missouri department of mental health, and other such organizations;

(5) "Training session", a session providing crisis response training by a qualified trained trainer utilizing the standards established by the accrediting agencies set out in subdivision (4) of this subsection;

(6) "Volunteer", a person who serves and receives no remuneration for services except reimbursement for actual expenses.

2. (1) Any volunteer crisis response team member who participates in a crisis intervention shall not be liable in tort for any personal injuries or infliction of emotional distress of any participant to the crisis intervention that is caused by the act or omission of a crisis response team member during the course of a crisis intervention.

(2) Subdivision (1) of this subsection shall not apply unless the intervention or training is conducted within generally accepted protocols of a registered team, as defined by a nationally recognized accrediting agency.

3. The tort immunity in subsection 2 of this section shall not apply if:

(1) The team member acted with actual malice or willful intent to injure the subject;

(2) The team member acted outside the scope of assigned duties;

(3) The team member acted without team coordination and dispatch;

- (4) The action involved the commission of a crime;
- (5) The action involved sexual harassment, or sexual or physical abuse;
- (6) The actions involved any form of moral turpitude or moral misconduct within the normally accepted community standards; or
- (7) If damages resulted from gross negligence of the team member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Sater offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said line the following:

"170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.

2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.

3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.

5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] 197.162, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to

such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

197.080. 1. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:

(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;

(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;

(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:

(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital [and] **but shall accept in lieu of an annual inspection reports of hospital inspections from other governmental and recognized accrediting organizations as authorized by this section. Recognizing accrediting organizations shall be those that have deemed status conferred by the Centers for Medicare and Medicaid Services (CMS) to take the place of direct CMS oversight and enforcement. The department shall make any other inspections and investigations as it deems necessary for good cause shown; provided that, the scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a documented threat of immediate jeopardy of safety is observed or identified during the investigation.** The department of health and senior services shall accept reports of hospital inspections from governmental agencies and recognized accrediting organizations [in whole or in part] for licensure purposes if:

- (1) The inspection is comparable to an inspection performed by the department of health and senior services;
- (2) The hospital meets minimum licensure standards; and

(3)] **the accreditation inspection was conducted within [one year of the date of license renewal] the term of accreditation authorized by the Centers for Medicare and Medicaid Services in granting deemed status to the recognized accrediting organization.** The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 3** was adopted.

Representative Brattin offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section A, Page 1, Line 2, by inserting after all of said section and line the following:

“191.334. 1. This section shall be known and may be cited as "Chloe's Law".

2. By January 1, 2012, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include pulse oximetry screening prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 4** was adopted.

Representative Molendorp offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

“191.774. 1. No person shall smoke or otherwise use tobacco products in any area of a state correctional center or the grounds thereof. Any person who violates the provisions of this section is guilty of an infraction. 2. The provisions of this section shall become effective July 1, 2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Line 4, by inserting after the word **“thereof”** the words **“and any public place within the state”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Elmer
Entlicher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McGhee	Molendorp
Nance	Neth	Nolte	Phillips	Pollock
Redmon	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Smith 150	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brown 116	Carlson	Conway 14	Day
Dieckhaus	Diehl	Fisher	Flanigan	Funderburk
Grisamore	Higdon	Hubbard	Hughes	Lair
Leara	McCaherty	McGeoghegan	McNary	Nasheed
Reiboldt	Richardson	Schneider	Spreng	Talboy
Webber				

VACANCIES: 004

Representative Schupp moved that **House Amendment No. 1 to House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Atkins	Aull	Carlson	Carter	Colona
Conway 27	Denison	Ellinger	Fallert	Hampton
Harris	Hummel	Kander	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Schieffer	Schupp	Shively
Solon	Still	Swearingen	Swinger	Torpey
Walton Gray				

NOES: 097

Anders	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Parkinson
Pollock	Redmon	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Sifton	Silvey	Smith 150
Stream	Taylor	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

2414 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brown 50	Casey	Cookson	Day
Diehl	Fisher	Fitzwater	Flanigan	Funderburk
Higdon	Hughes	Leara	McGeoghegan	McNary
Nolte	Phillips	Reiboldt	Richardson	Schneider
Shumake	Smith 71	Spreng	Talboy	Thomson
Webber				

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Phillips
Pollock	Redmon	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 048

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Loehner	May	McCann Beatty	McDonald
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 025

Aull	Bernskoetter	Brown 50	Conway 14	Cox
Day	Diehl	Fisher	Flanigan	Funderburk
Hinson	Hughes	Leara	McGeoghegan	McNary
Meadows	Neth	Nolte	Parkinson	Reiboldt
Richardson	Schneider	Talboy	Thomson	Webber

VACANCIES: 004

Representative Molendorp moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Wells offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 6** was adopted.

Representative Wyatt offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

"197.705. 1. Except as otherwise provided in subsection 2 of this section, all hospitals [and health care facilities,] and ambulatory surgical centers as defined in sections 197.020 and [197.305] 197.500, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel and shall include the following:

(1) A recent photograph of the employee, the employee's first name, the employee's title, and the name of the health care facility or organization;

(2) The title of the employee shall be as large as possible in block type and shall occupy a tall strip as close as practicable to the top or bottom edge of the badge;

(3) Titles shall be as follows:

(a) A medical doctor as defined in section 334.021 shall have the title "Physician";

(b) Any nurse as defined in section 335.016 may have the title "Advanced Practice Registered Nurse", "Certified Nurse Midwife", "Certified Nurse Practitioner", "Certified Registered Nurse Anesthetist", "Licensed Practical Nurse", "Registered Nurse", or "Clinical Nurse Specialist" as applicable for such nurse's level of nursing, licensure, and certification; and

(c) All other titles shall be determined by rule by the department of health and senior services.

Nothing in this section shall prohibit a health care provider from placing the provider's additional specialty or designation after the provider's name on the badge.

2. Personnel shall not be required to wear an identification badge while delivering direct care to a consumer if not clinically feasible.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Nothing in this section shall require the immediate replacement of identification badges worn by personnel currently employed on or before August 28, 2011. Such identification badges shall be replaced within a reasonable time after August 28, 2011, such as at a regularly scheduled interval of reissuance; except that, all identification badges worn by personnel of hospitals and health care facilities shall comply with this section within ten years from August 28, 2011."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Entlicher	Fisher	Fitzwater	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 026

Bahr	Bernskoetter	Conway 14	Day	Elmer
Flanigan	Fraker	Franklin	Franz	Funderburk
Grisamore	Haefner	Hughes	Kratky	Leara
McGeoghegan	Nasheed	Newman	Nolte	Parkinson
Phillips	Schatz	Schneider	Webber	Wright
Zerr				

VACANCIES: 004

On motion of Representative Wyatt, **House Amendment No. 7** was adopted.

Representative Cross offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“191.250. 1. As used in this section, the following terms shall mean:

(1) "Tanning device", any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;

(2) "Tanning facility", any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.

2. Prior to any person less than eighteen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person's use of a tanning device at the tanning facility.

3. The department of health and senior services shall, by rule, develop a standard consent form to be used by all tanning facilities operating in this state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Any person who violates the provisions of this section is guilty of a class C misdemeanor. Any tanning facility that violates the provisions of this section shall be subject to a fine of one thousand dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense.

5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fitzwater	Fraker
Franklin	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Conway 14	Day	Diehl	Fisher
Flanigan	Franz	Frederick	Funderburk	Grisamore
Hubbard	Hughes	Jones 117	Leara	McGeoghegan
Molendorp	Nasheed	Parkinson	Pollock	Schieffer
Webber				

VACANCIES: 004

Representative Cross moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Aull	Barnes	Brandom	Brown 116	Cross
Diehl	Ellinger	Frederick	Gatschenberger	Hampton
Hinson	Jones 63	Jones 89	Kander	Kirkton
Korman	Lampe	Lant	Lauer	Long
May	McCaherty	McDonald	McGhee	McNeil
Montecillo	Nance	Newman	Nolte	Oxford
Pace	Pierson	Reiboldt	Richardson	Schatz
Schneider	Shumake	Smith 71	Still	Swinger
Wallingford	Walton Gray	Webb	Weter	Wieland

NOES: 103

Anders	Asbury	Atkins	Bahr	Bernskoetter
Berry	Black	Brattin	Brown 50	Brown 85
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Largent	Lasater	Leach
Lichtenegger	Loehner	Marshall	McCann Beatty	McManus
McNary	Meadows	Molendorp	Neth	Nichols

2420 *Journal of the House*

Parkinson	Phillips	Pollock	Quinn	Redmon
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 150	Solon
Spreng	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Wells	White	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Day	Flanigan	Franz	Funderburk
Hughes	Leara	McGeoghegan	Nasheed	Schieffer
Webber				

VACANCIES: 004

On motion of Representative Sater, **HCS SCS SB 17, as amended**, was adopted.

On motion of Representative Sater, **HCS SCS SB 17, as amended**, was read the third time and passed by the following vote:

AYES: 140

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Curtman Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Allen	Day	Elmer	Flanigan	Franz
Funderburk	Hughes	Jones 117	Leach	Leara
McGeoghegan	McGhee	Nasheed	Nolte	Schieffer
Webber				

VACANCIES: 004

Speaker Tilley declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 458, as amended, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to adopt **SS HB 458, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

SS SCS HCS HB 430, as amended, relating to transportation, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to adopt **SS SCS HCS HB 430, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference thereon, and that the conferees be allowed to exceed the differences relating to Senate Amendment No. 10.

Which motion was adopted.

THIRD READING OF SENATE BILLS

SCS SBs 26 & 106, relating to special license plates, was taken up by Representative Elmer.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall

serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Denison offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of each year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates bearing a company name or logo. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab **or window sticker**. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390, if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words

"SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) **Beginning January 1, 2012**, the director of revenue shall issue annually or biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of this section, motorcycles and trailers shall be issued license plate tabs in lieu of window stickers.** Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window sticker** positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

(2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate] **The window sticker shall be placed on the inside front window in an area prescribed by the director of revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the designated area of the license plate.**

(3) A tab or [set of tabs] **window sticker** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways

and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. [No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates **and window sticker** shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. **A window sticker shall not be required during the thirty-day time frame.** As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor vehicle or trailer and when the required fee has been paid to the department of revenue, the department shall forward or deliver to the applicant the registration receipt and the number of license plates prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if appropriate. The attachment to the motor vehicle or trailer specified in the application of current license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and], tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any "motor vehicle primarily for business use", as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner's name if the owner's title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. The director of the department of revenue is authorized to make all necessary rules and regulations for the administration of this subsection, and shall design all necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or window stickers** per year when the application for the replacement tab **or sticker** is accompanied with a police report that is corresponding with the stolen license plate tab **or window sticker**.

2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs have] **window sticker has** been stolen and a check on such person's vehicle registration reveals that the vehicle is properly registered. A law enforcement officer may issue a warning under these circumstances. In the event a citation is improperly issued to a person for a missing [tabs] **tab or window sticker** when the requirements of this section are met, any court costs shall be waived.”; and

Further amend said bill, Page 4, Section 301.4006, Line 54, by inserting after all of said section and line the following:

“Section B. Section A of this act shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 2** was adopted.

Representative Kander offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section 301.477, Line 2, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, page and section, Line 8, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, page and section, Line 17, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, Page 2, Section 301.477, Line 19, by deleting the word “**badge**”; and

Further amend said bill, page and section, Line 34, by inserting after the word “**badges**” the following:

“, **combat action ribbons, or combat action medals**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

2430 *Journal of the House*

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Fisher	Funderburk	Hughes
Leara	McGeoghegan	Nasheed	Richardson	Schieffer
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Kander, **House Amendment No. 3** was adopted.

On motion of Representative Elmer, **SCS SBs 26 & 106, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng

Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Fitzwater	Funderburk	Jones 117
Leara	McGeoghegan	McNary	Schieffer	Webber
Mr Speaker				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

SB 36, relating to certain civil air patrol members, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **SB 36** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Weter	White
Wieland	Wright	Wyatt	Zerr	

2432 *Journal of the House*

NOES: 003

Brown 85	Fuhr	Hinson
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PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Dieckhaus	Ellinger	Fisher	Flanigan
Frederick	Hubbard	Jones 63	Kelly 24	McGeoghegan
McNary	Nasheed	Nolte	Schieffer	Webber
Wells	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Brown 85	Fuhr	Kirkton	McNeil	Schad
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PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Fisher	Flanigan	Hubbard	McGeoghegan
McNary	Nasheed	Schieffer	Smith 150	Webber

VACANCIES: 004

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 32**.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Concurrent Resolution No. 32, Page 1134, Line 9, by inserting immediately after the word "Senate" as it appears the second time on said line, the following:

"and the Minority Leader of the Senate".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS HCR 39**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 42**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 430, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Stouffer, Wasson, Richard, McKenna and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 661**, entitled:

An act to repeal sections 425.010, 425.020, 425.025, 425.027, and 425.040, RSMo, and to enact in lieu thereof six new sections relating to debt adjusters, with an existing penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 60, as amended**: Senators Keaveny, Justus, Rupp, Schaefer and Lamping.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 117, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 2 to SS SB 238**, and requests the House to recede from its position and take up and pass **SS SB 238**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 325, as amended**, and has taken up and passed **HCS SB 325, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 356, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 356, as amended, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to recede from its position on **HCS SCS SB 356, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS#2 SCS SB 117, as amended, relating to state and political subdivisions, was taken up by Representative Flanigan.

Representative Flanigan moved that the House refuse to recede from its position on **HCS#2 SCS SB 117, as amended**, and grant the Senate a conference.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough

Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Day	Hughes	McGeoghegan	McManus	Schieffer
Webber	Zerr			

VACANCIES: 004

Representative Flanigan again moved that the House refuse to recede from its position on **HCS#2 SCS SB 117, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 60: Representatives Cox, Elmer, Barnes, Kelly (24) and Carlson

HCS#2 SCS SB 117: Representatives Flanigan, Keeney, Fitzwater, Hummel and Kelly (24)

HCS SCS SB 356: Representatives Loehner, Schad, Wright, Holsman and Harris

Speaker Pro Tem Schoeller resumed the Chair.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was returned **SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS#2 SCS SB 100 - Fiscal Review (Fiscal Note)

SUPPLEMENTAL CALENDAR

MAY 11, 2011

SENATE BILLS FOR THIRD READING

HCS#2 SCS SB 100 - Zerr (Fiscal Review 5-11-11)

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 173

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 173, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 173, as amended;
2. The Senate recede from its position on Senate Bill No. 173;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 173, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon
/s/ Bill Stouffer
/s/ Scott Rupp
/s/ Victor Callahan
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Mike Cierpiot
/s/ Thomas Long
/s/ Jason Smith
/s/ Joe Fallert
/s/ Ron Casey

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 226**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 226, with House Amendment Nos. 1, 2, 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 226, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 226;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 226 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler
/s/ Bob Dixon
/s/ Mike Parson
/s/ Victor Callahan
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Ward Franz
/s/ Mike Bernskoetter
/s/ Lincoln Hough
/s/ Scott Sifton
/s/ Jill Schupp

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 250**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 250, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 250, as amended;
2. The Senate recede from its position on Senate Bill No. 250;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 250 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Kehoe
/s/ Jack Goodman
/s/ Kevin Engler
/s/ Victor Callahan
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Rodney Schad
/s/ Mike Cierpiot
/s/ Galen Higdon
/s/ Mike Colona
/s/ Jay Swearingen

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 12, 2011.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE

Thursday, May 12, 2011, 8:30 AM Bingham Gallery.
HCS SB 284

CONFERENCE COMMITTEE

Thursday, May 12, 2011, 8:30 AM Senate Committee Room 2.
HCS SS SB 29, as amended

FISCAL REVIEW

Thursday, May 12, 2011, 8:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

FISCAL REVIEW

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

RULES

Thursday, May 12, 2011, 8:15 AM South Gallery.

Public hearing will be held: HR 3196

Executive session will be held: HR 3196

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 12, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)

- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

SENATE BILLS FOR THIRD READING

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SB 243, E.C. - Dieckhaus
- 3 SS SCS SB 65 - Jones (89)
- 4 HCS SB 90 - Burlison
- 5 HCS SB 48, E.C. - Pollock
- 6 HCS SS#2 SCS SB 62 - Sater
- 7 HCS SB 77 - Denison
- 8 SCS SB 81 - Frederick
- 9 SCS SB 54 - Kelly (24)
- 10 HCS SCS SB 177 - Sater
- 11 HCS SCS SB 213 - Barnes
- 12 HCS SCS SB 230, E.C. - Ruzicka
- 13 HCS#2 SCS SB 100, (Fiscal Review 5-11-11) - Zerr

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

- SCR 11, (4-21-11, Page 1431) - Franklin

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 2 SCS HCS HB 250 - Cox
- 3 SCS HCS HB 38 - Pace
- 4 SS SCS HCS HB 161 - Cox
- 5 SCS HB 1008 - Long
- 6 SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended - Riddle
- 7 SS SCS HCS HBs 470 & 429, as amended - Funderburk
- 8 SS#2 SCS HCS HB 89, as amended, E.C. - Pollock

- 9 SS SCS HCS HB 431 - Franz
- 10 SS SCS HB 184 - Dugger
- 11 SS SCS HCS HB 664 - Leara
- 12 SCS HCS HBs 300, 334 & 387, as amended - Gatschenberger

BILLS CARRYING REQUEST MESSAGES

- 1 SS HB 458, as amended, (request Senate recede/grant conference) - Loehner
- 2 SS SB 238, HA 1, HA 2 (request House recede/take up and pass bill) - Hinson

BILLS IN CONFERENCE

- 1 CCR HCS SS#2 SCS SB 8, as amended - Fisher
- 2 CCR HCS SB 173, as amended - Cierpiot
- 3 CCR HCS SB 282, as amended - Dugger
- 4 CCR HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 CCR SCS HB 142, as amended - Gatschenberger
- 6 CCR SCS HB 101, as amended - Loehner
- 7 HCS SB 145, as amended - Gatschenberger
- 8 HCS SB 61, as amended - Nasheed
- 9 HCS SB 322, as amended - Kelly (24)
- 10 CCR HCS SS SB 226, as amended - Franz
- 11 CCR HCS SB 59, as amended - Diehl
- 12 HCS SCS SB 29, as amended - Jones (117)
- 13 CCR#2 HCS SB 250, as amended - Schad
- 14 HCS SB 284, as amended, E.C. - Sater
- 15 HCS SCS SB 270, as amended - Dugger
- 16 SCS HB 737 - Redmon
- 17 SS SCS HCS HBs 116 & 316, as amended, E.C. - Flanigan
- 18 HCS SCS SB 60, as amended - Cox
- 19 HCS SCS SB 356, as amended, E.C. - Loehner
- 20 HCS#2 SCS SB 117, as amended, E.C. - Flanigan
- 21 SS SCS HCS HB 430, as amended - Burlison

VETOED HOUSE BILLS

SS SCS HB 209 - Guernsey

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 7, (3-17-11, Page 700) - Jones (89)
- 2 SCR 12, (5-3-11, Page 1782) - Higdon

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 12, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is my shepherd. (Psalm 23:1)

O God, Whose strength sustains us in our work, Whose hand supports us in our weariness, and Whose presence gives us security in the time of trouble, grant unto us the renewing power of Your Holy Spirit as we wait upon You in prayer. Lead us into green pastures, beside still waters, and along paths of righteousness in which our souls are restored. When we walk through the valley of the shadow of death, may we feel Your presence near and in the assurance of Your wisdom find deliverance in the midst of our distresses.

Fill our hearts with such a faith in You that, by night and by day, at all times, and in all seasons we may commit ourselves and those near and dear to us to Your never-failing compassion and to Your never-faltering mercy. Thus, may Your goodness and Your mercy follow us all the days of our lives, and in spirit may we dwell in Your house forevermore. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ryan Summa.

The Journal of the seventieth day was approved as printed.

SPECIAL RECOGNITION

Phyllis Hughes, Administrative Assistant, House Appropriations, was introduced by Representative Bernskoetter and presented a resolution acknowledging her retirement after 31 years of service to the Missouri House of Representatives.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3371 through House Resolution No. 3462

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 100** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SB 48, relating to utilities, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 48, Page 19, Section 414.570, Line 36, by inserting after all of said line the following:

- "620.2300. 1. As used in this section, the following terms shall mean;**
- (1) "Department", the Missouri department of economic development;**
 - (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
 - (3) "Commission", the Missouri public service commission;**
 - (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**
 - (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**
 - (6) "Major source", the same meaning as is provided under 40 C.F.R. 70.2;**
 - (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**
 - (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:**
 - (a) The area consists of at least fifty contiguous acres;**
 - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;**
 - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;**
 - (d) The development plan for the area includes a biomass facility; and**
 - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;**
 - (9) "Project", a clean fields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;**

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and

Further amend said bill, Page 20, Section B, Line 3, by inserting after the word "decisions" the following:

"and the need to ensure the creation of jobs through the utilization of alternative energy sources"; and

Further amend said bill, Page 20, Section B, Line 4, by inserting after the number "386.540" the following:

"and the enactment of section 620.2300"; and

Further amend said bill, Page 20, Section B, Line 7, by inserting after the number "386.540" the following:

"and the enactment of section 620.2300"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 48, Pages 14-15, Section 393.1000, Lines 1-47, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 15-16, Section 393.1003, Lines 1-25, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 2** was adopted.

Representative Riddle offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 48, Pages 1-3, Section 247.060, Lines 1 - 82, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 3** was adopted.

Representative Smith (150) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 48, Page 5, Section 386.420, Line 33, by adding the phrase "that is not classified as price-cap or competitive company" immediately following the words "public utility"; and

Further amend Section 386.520, Page 9, Line 57, by adding the phrase "for public utilities that are not classified as price-cap or competitive companies" immediately following the words "new rates or charges".

On motion of Representative Smith (150), **House Amendment No. 4** was adopted.

Representative Hinson offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 48, Page 1, In the Title, Line 4, by inserting after "RSMo," the following:

"section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after "RSMo," the following:

"section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session"; and

Further amend said bill, Page 19, Section 414.570, Line 36, by inserting after all of said section and line the following:

“565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the first degree is a class A felony.

[565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. Assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.]

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the third degree is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 5** was adopted.

Representative Jones (89) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 48, Page 1, Section A, Line 6, by inserting after all of said line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a

member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Jones (89), **House Amendment No. 6** was adopted.

Representative Solon offered **House Amendment No. 7**.

Representative Kander raised a point of order that **House Amendment No. 7** was not timely distributed.

Representative Lampe raised an additional point of order that **House Amendment No. 7** is not germane to the bill.

The Chair ruled the first point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

Nance	Neth	Nolte	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 50	Brown 116	Flanigan	Franz
Hodges	Hubbard	Hughes	Leara	McGeoghegan
McManus	Parkinson	Ruzicka	Sater	Schneider
Spreng	Webb	Webber		

VACANCIES: 004

On motion of Representative Pollock, **HCS SB 48, as amended**, was adopted.

On motion of Representative Pollock, **HCS SB 48, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefer	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McNary	McNeil

2451 *Journal of the House*

Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Brown 116	Flanigan	Franz	Hodges
Hughes	Leara	McGeoghegan	McManus	Nasheed
Pace	Parkinson	Sater	Webber	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Brattin	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Flanigan	Franz	Gatschenberger	Hodges
Hughes	McGeoghegan	McManus	Parkinson	Sater
Webb	Webber			

VACANCIES: 004

HCS SB 77, relating to roadway signs, was taken up by Representative Denison.

On motion of Representative Denison, **HCS SB 77** was adopted.

On motion of Representative Denison, **HCS SB 77** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger

2453 *Journal of the House*

Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Atkins	Brattin	Brown 85	Brown 116	Diehl
Dugger	Hughes	Loehner	McGeoghegan	McManus
Parkinson	Richardson	Sater	Walton Gray	Webber
Mr Speaker				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

SCS SB 54, relating to protection from sexual offenders, was taken up by Representative Kelly (24).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24

Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Diehl	Flanigan	Hughes	Jones 117
McGeoghegan	Sater	Smith 150	Webber	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Kelly (24), **SCS SB 54** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116

Hughes

McGeoghegan

Sater

Webber

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS SB 430: Representatives Burlison, Schoeller, Denison, Ellinger and Jones (63)

THIRD READING OF SENATE BILL

SS SCS SB 65, relating to late-term abortions, was taken up by Representative Jones (89).

Representative Oxford offered **House Amendment No. 1**.

Representative Long raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka

Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 037

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Ellinger	Hodges	Holsman
Hubbard	Hughes	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swinger	Talboy
Taylor	Webb			

PRESENT: 012

Black	Casey	Conway 27	Fallert	Harris
Hummel	Kratky	McManus	Meadows	Quinn
Schieffer	Shively			

ABSENT WITH LEAVE: 009

Bernskoetter	McGeoghegan	McNary	Nasheed	Sater
Schneider	Swearingen	Walton Gray	Webber	

VACANCIES: 004

On motion of Representative Jones (89), **SS SCS SB 65** was truly agreed to and finally passed by the following vote:

AYES: 121

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	Meadows	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger

2457 *Journal of the House*

Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 033

Atkins	Carlson	Carter	Colona	Ellinger
Hubbard	Hughes	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 001

Holsman

ABSENT WITH LEAVE: 004

McGeoghegan	Nasheed	Sater	Webber
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VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS HCR 23**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HCR 37**, entitled:

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 223 & 231**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 484**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 667**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 2 to SS SCS SB 70**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SCS SB 117, as amended**: Senators Engler, Crowell, Schmitt, Justus and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 356, as amended**: Senators Munzlinger, Parson, Brown, Callahan and Justus.

BILL CARRYING REQUEST MESSAGE

SS SCS SB 70, with House Amendment No. 1 and House Amendment No. 2, relating to the Missouri Family Trust Act, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 2** to **SS SCS SB 70** and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

SCS SB 81, relating to fine arts education, was taken up by Representative Frederick.

Representative Funderburk offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 1, Section A, Line 2, by inserting after said line the following:

“143.183. 1. As used in this section, the following terms mean:

(1) "Nonresident entertainer", a person residing or registered as a corporation outside this state who, for compensation, performs any vocal, instrumental, musical, comedy, dramatic, dance or other performance in this state before a live audience and any other person traveling with and performing services on behalf of a nonresident entertainer, including a nonresident entertainer who is paid compensation for providing entertainment as an independent contractor, a partnership that is paid compensation for entertainment provided by nonresident entertainers, a corporation that is paid compensation for entertainment provided by nonresident entertainers, or any other entity that is paid compensation for entertainment provided by nonresident entertainers;

(2) "Nonresident member of a professional athletic team", a professional athletic team member who resides outside this state, including any active player, any player on the disabled list if such player is in uniform on the day of the game at the site of the game, and any other person traveling with and performing services on behalf of a professional athletic team;

(3) "Personal service income" includes exhibition and regular season salaries and wages, guaranteed payments, strike benefits, deferred payments, severance pay, bonuses, and any other type of compensation paid to the nonresident entertainer or nonresident member of a professional athletic team, but does not include prizes, bonuses or incentive money received from competition in a livestock, equine or rodeo performance, exhibition or show;

(4) "Professional athletic team" includes, but is not limited to, any professional baseball, basketball, football, soccer and hockey team.

2. Any person, venue, or entity who pays compensation to a nonresident entertainer shall deduct and withhold from such compensation as a prepayment of tax an amount equal to two percent of the total compensation if the amount of compensation is in excess of three hundred dollars paid to the nonresident entertainer.

3. Any person, venue, or entity required to deduct and withhold tax pursuant to subsection 2 of this section shall, for each calendar quarter, on or before the last day of the month following the close of such calendar quarter, remit the taxes withheld in such form or return as prescribed by the director of revenue and pay over to the director of revenue or to a depository designated by the director of revenue the taxes so required to be deducted and withheld.

4. Any person, venue, or entity subject to this section shall be considered an employer for purposes of section 143.191, and shall be subject to all penalties, interest, and additions to tax provided in this chapter for failure to comply with this section.

5. Notwithstanding other provisions of this chapter to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but none after December 31, 2015, shall annually estimate the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, sixty percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri arts council trust fund, and shall be transferred from the general revenue fund to the Missouri arts council trust fund established in section 185.100 and any amount transferred shall be in addition to such agency's budget base for each fiscal year. The director shall by rule establish the method of determining the portion of personal service income of such persons that is allocable to Missouri.

6. Notwithstanding the provisions of sections 186.050 to 186.067 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri humanities council trust fund, and shall be transferred from the general revenue fund to the Missouri humanities council trust fund established in section 186.055 and any amount transferred shall be in addition to such agency's budget base for each fiscal year.

7. Notwithstanding other provisions of section 182.812 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri state library networking fund, and shall be transferred from the general revenue fund to the secretary of state for distribution to public libraries for acquisition of library materials as established in section 182.812 and any amount transferred shall be in addition to such agency's budget base for each fiscal year.

8. Notwithstanding other provisions of section 185.200 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri public television broadcasting corporation special fund, and shall be transferred from the general revenue fund to the Missouri public television broadcasting corporation special fund, and any amount transferred shall be in addition to such agency's budget base for each fiscal year; provided, however, that twenty-five percent of such allocation shall be used for grants to public radio stations which were qualified by the corporation for public broadcasting as of November 1, 1996. Such grants shall be distributed to each of such public radio stations in this state after receipt of the station's certification of operating and programming expenses for the prior fiscal year. Certification shall consist of the most recent fiscal year financial statement submitted by a station to the corporation for public broadcasting. The grants shall be divided into two categories, an annual basic service grant and an operating grant. The basic service grant shall be equal to thirty-five percent of the total amount and shall be divided equally among the public radio stations receiving grants. The remaining amount shall be distributed as an operating grant to the stations on the basis of the proportion that the total operating expenses of the individual station in the prior fiscal year bears to the aggregate total of operating expenses for the same fiscal year for all Missouri public radio stations which are receiving grants.

9. Notwithstanding other provisions of section 253.402 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to [the Missouri department of natural resources Missouri historic preservation revolving fund, and shall be transferred from the general revenue fund to the Missouri department of natural resources Missouri historic preservation revolving fund established in section 253.402 and any amount transferred shall be in addition to such agency's budget base for each fiscal year] **historically black colleges and universities (HBCU), to be allocated based on the student enrollment in each university and to be used solely for youth sport safety in each university's athletic facility, including physical safety and therapy.** As authorized pursuant to subsection 2 of section 30.953, it is the intention and desire of the general assembly that the state treasurer convey, to the Missouri investment trust on January 1, 1999, up to one hundred percent of the balances of the Missouri arts council trust fund established pursuant to section 185.100 and the Missouri humanities council trust fund established pursuant to section 186.055. The funds shall be reconveyed to the state treasurer by the investment trust as follows: the Missouri arts council trust fund, no earlier than January 2, 2009; and the Missouri humanities council trust fund, no earlier than January 2, 2009.

10. This section shall not be construed to apply to any person who makes a presentation for professional or technical education purposes or to apply to any presentation that is part of a seminar, conference, convention, school, or similar program format designed to provide professional or technical education.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 043

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Fallert
Harris	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 116	Colona	Conway 14	Diehl	Dugger
Ellinger	Grisamore	Hodges	Kelley 126	Kratky
McCaherty	McGeoghegan	Meadows	Quinn	Sater
Schieber	Spreng	Swinger	Webber	Mr Speaker

VACANCIES: 004

On motion of Representative Funderburk, **House Amendment No. 1** was adopted.

Representative Aull offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting after all of said section and line the following:

“[163.037. In any school year after the 2009-10 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-06 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, shall include the addition of the product of twenty-five hundredth times the average daily attendance for summer school.]

Section B. Because of the need to provide adequate funding to school districts, the repeal of section 163.037 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal of section 163.037 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowland offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 81, Page 1, Line 2, by inserting after all of said line the following:

“165.011. 1. The following funds are created for the accounting of all school moneys: teachers' fund, incidental fund, capital projects fund and debt service fund. The treasurer of the school district shall open an account for each fund specified in this section, and all moneys received from the county school fund and all moneys derived from taxation for teachers' wages shall be placed to the credit of the teachers' fund. All tuition fees, state moneys received under section 163.031, and all other moneys received from the state except as herein provided shall be placed to the credit of the teachers' and incidental funds at the discretion of the district board of education, except as provided in subsection 6 of section 163.031. Money received from other districts for transportation and money derived from taxation for incidental expenses shall be credited to the incidental fund. All money derived from taxation or received from any other source for the erection of buildings or additions thereto and the remodeling or reconstruction of buildings and the furnishing thereof, for the payment of lease-purchase obligations, for the purchase of real estate, or from sale of real estate, schoolhouses or other buildings of any kind, or school furniture, from insurance, from sale of bonds other than refunding bonds shall be placed to the credit of the capital projects fund. All moneys derived from the sale or lease of sites, buildings, facilities, furnishings, and equipment by a school district as authorized under section 177.088 shall be credited to the capital projects fund. Money derived from taxation for the retirement of bonds and the payment of interest thereon shall be credited to the debt service fund, which shall be maintained as a separate bank account. Receipts from delinquent taxes shall be allocated to the several funds on the same basis as receipts from current taxes, except that where the previous years' obligations of the district would be affected by such distribution, the delinquent taxes shall be distributed according to the tax levies made for the years in which the obligations were incurred. All refunds received shall be placed to the credit of the fund from which the original expenditures were made. Money donated to the school districts shall be placed to the credit of the fund where it can be expended to meet the purpose for which it was donated and accepted. Money received from any other source whatsoever shall be placed to the credit of the fund or funds designated by the board.

2. The school board may transfer any portion of the unrestricted balance remaining in the incidental fund to the teachers' fund. Any district that uses an incidental fund transfer to pay for more than twenty-five percent of the annual certificated compensation obligation of the district and has an incidental fund balance on June thirtieth in any year in excess of fifty percent of the combined incidental teachers' fund expenditures for the fiscal year just ended shall be required to transfer the excess from the incidental fund to the teachers' fund. If a balance remains in the debt service fund, after the total outstanding indebtedness for which the fund was levied is paid, the board may transfer the unexpended balance to the capital projects fund. If a balance remains in the bond proceeds after completion of the project for which the bonds were issued, the balance shall be transferred from the incidental or capital projects fund to the debt service fund. After making all placements of interest otherwise provided by law, a school district may transfer from the capital projects fund to the incidental fund the interest earned from undesignated balances in the capital projects fund. A school district may borrow from one of the following funds: teachers' fund, incidental fund, or capital projects fund, as necessary to meet obligations in another of those funds; provided that the full amount is repaid to the lending fund within the same fiscal year.

3. Tuition shall be paid from either the teachers' or incidental funds. Employee benefits for certificated staff shall be paid from the teachers' fund.

4. Other provisions of law to the contrary notwithstanding, the school board of a school district that meets the provisions of subsection 6 of section 163.031 may transfer from the incidental fund to the capital projects fund the sum of:

(1) The amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year; plus

(2) Any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational-technical schools; plus

(3) Current year obligations for lease-purchase obligations entered into prior to January 1, 1997; plus

(4) The amount necessary to repay costs of one or more guaranteed energy savings performance contracts to renovate buildings in the school district, provided that the contract is only for energy conservation measures as defined in section 640.651 and provided that the contract specifies that no payment or total of payments shall be required from

the school district until at least an equal total amount of energy and energy-related operating savings and payments from the vendor pursuant to the contract have been realized by the school district; plus

(5) An amount not to exceed the greater of:

(a) One hundred sixty-two thousand three hundred twenty- six dollars; or

(b) Seven percent of the state adequacy target multiplied by the district's weighted average daily attendance, provided that transfer amounts in excess of current year obligations of the capital projects fund authorized under this subdivision may be transferred only by a resolution of the school board approved by a majority of the board members in office when the resolution is voted on and identifying the specific capital projects to be funded directly by the district by the transferred funds and an estimated expenditure date.

5. Beginning in the 2006-07 school year, a district meeting the provisions of subsection 6 of section 163.031 and not making the transfer under subdivision (5) of subsection 4 of this section, nor making payments or expenditures related to obligations made under section 177.088 may transfer from the incidental fund to the debt service fund or the capital projects fund the greater of:

(1) The state aid received in the 2005-06 school year as a result of no more than eighteen cents of the sum of the debt service and capital projects levy used in the foundation formula and placed in the respective debt service or capital projects fund, whichever fund had the designated tax levy; or

(2) Five percent of the state adequacy target multiplied by the district's weighted average daily attendance.

6. Beginning in the 2006-07 school year, the department of elementary and secondary education shall deduct from a school district's state aid calculated pursuant to section 163.031 an amount equal to the amount of any transfer of funds from the incidental fund to the capital projects fund or debt service fund performed during the previous year in violation of this section; except that the state aid shall be deducted over no more than five school years following the school year of an unlawful transfer based on a plan from the district approved by the commissioner of elementary and secondary education.

7. A school district may transfer unrestricted funds from the capital projects fund to the incidental fund in any year [in which that year's June thirtieth combined incidental and teachers' funds unrestricted balance compared to the combined incidental and teachers' funds expenditures would be less than ten percent without such transfer] **to avoid becoming financially stressed as defined in subsection 1 of section 161.520. If on June thirtieth of any fiscal year the sum of unrestricted balances in a school district's incidental fund and teacher's fund is less than twenty percent of the sum of the school district's expenditures from those funds for the fiscal year ending on that June thirtieth, the school district may, during the next succeeding fiscal year, transfer to its incidental fund an amount up to and including the amount of the unrestricted balance in its capital projects fund on that June thirtieth. For purposes of this subsection, in addition to any other restrictions that may apply to funds in the school district's capital projects fund, any funds that are derived from the proceeds of one or more general obligation bond issues shall be considered restricted funds and shall not be transferred to the school district's incidental fund.**"; and

Further amend said amendment by deleting the opening quotation mark on Line 4 of said amendment; and

Further amend said amendment and page, Lines 11 and 13, by inserting after the numeral "163.037" the following:

"and the repeal and reenactment of 165.011"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Aull, **House Amendment No. 2, as amended**, was adopted.

Representative Shumake offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting after all of said section and line the following:

“170.340. Books of a religious nature may be used in the classroom as part of instruction in elective courses in literature and history, so long as such books are not used in a manner so as to violate the establishment clause of the United States Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 81, Page 1, Line 4, by inserting after the word "**nature**", the words "**, including but not limited to the Torah, Koran, Bible,**".

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn

2465 *Journal of the House*

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Brown 116	Diehl	Dugger	Franklin
Funderburk	Klippenstein	Lasater	Leara	McGeoghegan
Meadows	Pollock	Sater	Webber	Mr Speaker

VACANCIES: 004

Representative Oxford moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Black	Brown 85
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

NOES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Funderburk	Lasater	Leara	Loehner
McGeoghegan	Meadows	Sater	Taylor	Webber

VACANCIES: 004

On motion of Representative Shumake, **House Amendment No. 3** was adopted.

Representative Neth offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting immediately after said line the following:

“170.045. 1. Any public school may offer one or more courses in ballroom dance. Ballroom dance shall be treated as a qualified physical education activity and as a fine arts activity for academic credit granting and receiving purposes when ballroom dance is offered by a public school.

2. Any student enrolled in a public school in this state that offers a ballroom dance course or courses may earn academic credit for such course by completing the course with a passing grade.

3. Academic credit received for taking a ballroom dance course shall be counted toward satisfaction of any physical education or fine arts requirements of the public school, including any entrance requirements of any public institution of higher education.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

2467 *Journal of the House*

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Fitzwater	Gatschenberger	Holsman	Hummel
Jones 117	Lasater	Leara	McGeoghegan	Meadows
Oxford	Richardson	Sater	Webber	Zerr
Mr Speaker				

VACANCIES: 004

Representative Neth moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Frederick, **SCS SB 81, as amended**, was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo

Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Lasater	Leara	McGeoghegan	Meadows	Richardson
Sater	Webber	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Davis
Denison	Dieckhaus	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 008

Bahr	Brattin	Cookson	Curtman	Gatschenberger
Koenig	Leach	Marshall		

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Day	Diehl	Elmer	Flanigan
Lasater	McGeoghegan	McGhee	Meadows	Richardson
Sater	Webber	Mr Speaker		

VACANCIES: 004

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 213**, entitled:

An act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 458, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Brown, Munzlinger, Schaefer, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 48, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS SB 70 with HA 1 and HA 2**: Senators Schaefer, Brown, Richard, Keaveny and Green.

BILL CARRYING REQUEST MESSAGE

HCS SB 48, as amended, relating to utilities, was taken up by Representative Pollock.

Representative Pollock moved that the House refuse to recede from its position on **HCS SB 48, as amended**, and grant the Senate a conference.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 48, as amended**: Senators Wright-Jones, Green, Lager, Schaefer and Dixon.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 664, relating to firefighter benefits, was taken up by Representative Leara.

On motion of Representative Leara, **SS SCS HCS HB 664** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

2471 *Journal of the House*

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Carter	Diehl	Ellinger	Grisamore
Hughes	Jones 63	Loehner	McGeoghegan	McNary
Parkinson	Pollock	Sater	Webb	Webber

VACANCIES: 004

On motion of Representative Leara, **SS SCS HCS HB 664** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Day	Diehl	Ellinger	Grisamore
Hughes	Jones 63	Loehner	McGeoghegan	McNary
Nasheed	Pollock	Sater	Webb	Webber

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 177, relating to health care, was taken up by Representative Frederick.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] **197.162**, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:

(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;

(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;

(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:

(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.080. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Wells offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 9, Section 144.030, Line 279, by inserting after all of said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or

children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 630.167, Page 19, Line 110, by inserting after all of said section and line the following:

“Section 1. The MO HealthNet division shall not require a health insurance issuer, as defined in section 376.450, to exceed the requirements of sections 354.603 and 354.606 related to network adequacy.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

Representative Kelly (24) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“190.839. Sections 190.800 to 190.839 shall expire on September 30, [2011] 2015.”; and

Further amend said bill, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

“198.439. Sections 198.401 to 198.436 shall expire on September 30, [2011] **2015.**”; and

Further amend said bill, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

“208.437. 1. A Medicaid managed care organization reimbursement allowance period as provided in sections 208.431 to 208.437 shall be from the first day of July to the thirtieth day of June. The department shall notify each Medicaid managed care organization with a balance due on the thirtieth day of June of each year the amount of such balance due. If any managed care organization fails to pay its managed care organization reimbursement allowance within thirty days of such notice, the reimbursement allowance shall be delinquent. The reimbursement allowance may remain unpaid during an appeal.

2. Except as otherwise provided in this section, if any reimbursement allowance imposed under the provisions of sections 208.431 to 208.437 is unpaid and delinquent, the department of social services may compel the payment of such reimbursement allowance in the circuit court having jurisdiction in the county where the main offices of the Medicaid managed care organization are located. In addition, the director of the department of social services or the director's designee may cancel or refuse to issue, extend or reinstate a Medicaid contract agreement to any Medicaid managed care organization which fails to pay such delinquent reimbursement allowance required by sections 208.431 to 208.437 unless under appeal.

3. Except as otherwise provided in this section, failure to pay a delinquent reimbursement allowance imposed under sections 208.431 to 208.437 shall be grounds for denial, suspension or revocation of a license granted by the department of insurance, financial institutions and professional registration. The director of the department of insurance, financial institutions and professional registration may deny, suspend or revoke the license of a Medicaid managed care organization with a contract under 42 U.S.C. Section 1396b(m) which fails to pay a managed care organization's delinquent reimbursement allowance unless under appeal.

4. Nothing in sections 208.431 to 208.437 shall be deemed to effect or in any way limit the tax-exempt or nonprofit status of any Medicaid managed care organization with a contract under 42 U.S.C. Section 1396b(m) granted by state law.

5. Sections 208.431 to 208.437 shall expire on September 30, [2011] **2015.**

208.480. Notwithstanding the provisions of section 208.471 to the contrary, sections 208.453 to 208.480 shall expire on September 30, [2011] **2015.**

338.550. 1. The pharmacy tax required by sections 338.500 to 338.550 shall expire ninety days after any one or more of the following conditions are met:

(1) The aggregate dispensing fee as appropriated by the general assembly paid to pharmacists per prescription is less than the fiscal year 2003 dispensing fees reimbursement amount; or

(2) The formula used to calculate the reimbursement as appropriated by the general assembly for products dispensed by pharmacies is changed resulting in lower reimbursement to the pharmacist in the aggregate than provided in fiscal year 2003; or

(3) September 30, [2011] **2015.**

The director of the department of social services shall notify the revisor of statutes of the expiration date as provided in this subsection. The provisions of sections 338.500 to 338.550 shall not apply to pharmacies domiciled or headquartered outside this state which are engaged in prescription drug sales that are delivered directly to patients within this state via common carrier, mail or a carrier service.

2. Sections 338.500 to 338.550 shall expire on September 30, [2011] **2015.**”; and

Further amend said bill, Section 630.630.167, Page 19, Line 110, by inserting after all of said section and line the following:

“633.401. 1. For purposes of this section, the following terms mean:

(1) "Engaging in the business of providing health benefit services", accepting payment for health benefit services;

(2) "Intermediate care facility for the mentally retarded", a private or department of mental health facility which admits persons who are mentally retarded or developmentally disabled for residential habilitation and other services pursuant to chapter 630. Such term shall include habilitation centers and private or public intermediate care facilities for the mentally retarded that have been certified to meet the conditions of participation under 42 CFR, Section 483, Subpart 1;

(3) "Net operating revenues from providing services of intermediate care facilities for the mentally retarded" shall include, without limitation, all moneys received on account of such services pursuant to rates of reimbursement established and paid by the department of social services, but shall not include charitable contributions, grants, donations, bequests and income from nonservice related fund-raising activities and government deficit financing, contractual allowance, discounts or bad debt;

(4) "Services of intermediate care facilities for the mentally retarded" has the same meaning as the term used in Title 42 United States Code, Section 1396b(w)(7)(A)(iv), as amended, and as such qualifies as a class of health care services recognized in federal Public Law 102-234, the Medicaid Voluntary Contribution and Provider Specific Tax Amendment of 1991.

2. Beginning July 1, 2008, each provider of services of intermediate care facilities for the mentally retarded shall, in addition to all other fees and taxes now required or paid, pay assessments on their net operating revenues for the privilege of engaging in the business of providing services of the intermediate care facilities for the mentally retarded or developmentally disabled in this state.

3. Each facility's assessment shall be based on a formula set forth in rules and regulations promulgated by the department of mental health.

4. For purposes of determining rates of payment under the medical assistance program for providers of services of intermediate care facilities for the mentally retarded, the assessment imposed pursuant to this section on net operating revenues shall be a reimbursable cost to be reflected as timely as practicable in rates of payment applicable within the assessment period, contingent, for payments by governmental agencies, on all federal approvals necessary by federal law and regulation for federal financial participation in payments made for beneficiaries eligible for medical assistance under Title XIX of the federal Social Security Act.

5. Assessments shall be submitted by or on behalf of each provider of services of intermediate care facilities for the mentally retarded on a monthly basis to the director of the department of mental health or his or her designee and shall be made payable to the director of the department of revenue.

6. In the alternative, a provider may direct that the director of the department of social services offset, from the amount of any payment to be made by the state to the provider, the amount of the assessment payment owed for any month.

7. Assessment payments shall be deposited in the state treasury to the credit of the "Intermediate Care Facility Mentally Retarded Reimbursement Allowance Fund", which is hereby created in the state treasury. All investment earnings of this fund shall be credited to the fund. Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the intermediate care facility mentally retarded reimbursement allowance fund at the end of the biennium shall not revert to the general revenue fund but shall accumulate from year to year. The state treasurer shall maintain records that show the amount of money in the fund at any time and the amount of any investment earnings on that amount.

8. Each provider of services of intermediate care facilities for the mentally retarded shall keep such records as may be necessary to determine the amount of the assessment for which it is liable under this section. On or before the forty-fifth day after the end of each month commencing July 1, 2008, each provider of services of intermediate care facilities for the mentally retarded shall submit to the department of social services a report on a cash basis that reflects such information as is necessary to determine the amount of the assessment payable for that month.

9. Every provider of services of intermediate care facilities for the mentally retarded shall submit a certified annual report of net operating revenues from the furnishing of services of intermediate care facilities for the mentally retarded. The reports shall be in such form as may be prescribed by rule by the director of the department of mental health. Final payments of the assessment for each year shall be due for all providers of services of intermediate care facilities for the mentally retarded upon the due date for submission of the certified annual report.

10. The director of the department of mental health shall prescribe by rule the form and content of any document required to be filed pursuant to the provisions of this section.

11. Upon receipt of notification from the director of the department of mental health of a provider's delinquency in paying assessments required under this section, the director of the department of social services shall withhold, and shall remit to the director of the department of revenue, an assessment amount estimated by the director of the department of mental health from any payment to be made by the state to the provider.

12. In the event a provider objects to the estimate described in subsection 11 of this section, or any other decision of the department of mental health related to this section, the provider of services may request a hearing. If a hearing is requested, the director of the department of mental health shall provide the provider of services an opportunity to be heard and to present evidence bearing on the amount due for an assessment or other issue related to this section within thirty days after collection of an amount due or receipt of a request for a hearing, whichever is later. The director shall issue a final decision within forty-five days of the completion of the hearing. After reconsideration of the assessment determination and a final decision by the director of the department of mental health, an intermediate care facility for the mentally retarded provider's appeal of the director's final decision shall be to the administrative hearing commission in accordance with sections 208.156 and 621.055.

13. Notwithstanding any other provision of law to the contrary, appeals regarding this assessment shall be to the circuit court of Cole County or the circuit court in the county in which the facility is located. The circuit court shall hear the matter as the court of original jurisdiction.

14. Nothing in this section shall be deemed to affect or in any way limit the tax-exempt or nonprofit status of any intermediate care facility for the mentally retarded granted by state law.

15. The director of the department of mental health shall promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

16. The provisions of this section shall expire on September 30, [2011] **2015**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 4** was adopted.

Representative Riddle offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section A, Page 1, Line 4, by inserting the following after all of said line:

“135.647. 1. As used in this section, the following terms shall mean:

- (1) "Local food pantry", any food pantry that is:
 - (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
 - (b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;
- (2) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2007, any taxpayer who donates cash or food, unless such food is donated after the food's expiration date, to any local food pantry shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit

claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed, and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry in any one fiscal year shall not exceed two million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. [Under section 23.253 of the Missouri sunset act:]

(1) [The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] the program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on August 28, 2015;** and

[(3)] (2) This section shall terminate on September [first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.] **1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, House Amendment No. 5 was adopted.

Representative Jones (117) offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. **The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

6. **The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Jones (63) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

"208.798. [1. The provisions of sections 208.550 to 208.568 shall terminate following notice to the revisor of statutes by the Missouri RX plan advisory commission that the Medicare Prescription Drug, Improvement and Modernization Act of 2003 has been fully implemented.

2.] Pursuant to section 23.253 of the Missouri sunset act, the provisions of the new program authorized under sections 208.780 to 208.798 shall automatically sunset August 28, [2011] **2016**, unless reauthorized by an act of the general assembly.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 7** was adopted.

Representative Nance offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

"208.184. 1. For the renewal of a child's eligibility for MO HealthNet benefits under this chapter or the state children's health insurance program benefits under sections 208.631 to 208.659, the department of social services shall provide a prepopulated form completed by the department based on all information available to the department and notice to the parent or caretaker relative of the child that eligibility of the child will be renewed and continued based on such information unless the department is provided other information from such parent or caretaker relative. Nothing in this subsection shall be construed as preventing the state from verifying, through electronic and other means, the information so provided.

2. If there are no changes in information, such as income or family composition, relating to eligibility of the child for the benefits listed in subsection 1 of this section, the parent or caretaker relative of the child shall send back the prepopulated form referenced in subsection 1 of this section with a signature to verify the information on the form is accurate. If the information on the form is not accurate, the parent or caretaker

relative shall be required to provide updated information and a signature to verify the new information is accurate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 8** was adopted.

HCS SCS SB 177, as amended, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS HB 458: Representatives Loehner, Klippenstein, Entlicher, Aull and Shively

HCS SB 48: Representatives Pollock, Smith (150), Schad, Hummel and Webb

SS SCS SB 70: Representatives Franz, Houghton, Gosen, Oxford and Carlson

CONFERENCE COMMITTEE CHANGE

The Speaker submitted the following conference committee change on **SS SCS HCS HB 430:** Representative Schupp replaces Representative Ellinger.

THIRD READING OF SENATE BILL

HCS SCS SB 177, as amended, relating to health care, was again taken up by Representative Frederick.

Representative Allen offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

“354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multiyear group contracts need not comply until the expiration of their current multiyear term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this act, the following terms shall mean:

(1) "Open referral plan", a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) "Gatekeeper group plan", a plan in which the enrollee is required to obtain a referral from a primary care professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network. In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.

[5. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336 or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334.]

[6] 5. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

[7] 6. Any health carrier, which is sponsored by a federally qualified health center and is presently in existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

[8] 7. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

[9] 8. Nothing in this act shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140 in a case where an employee incurs a work-related injury covered by the provisions of chapter 287.

[10] 9. Nothing contained in this act shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits under chapter 287 pursuant to contractual arrangements with employers, or their insurers, under section 287.135.

354.619. 1. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among person duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334.

2. A health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network solely on the grounds that:

(1) Not all eye care providers in a group practice agree to participate in the health carrier's provider network; or

(2) The provider is not a retailer of frames or corrective lenses or both.

3. If optometric services are being provided in connection to a treatment plan for corrective surgery, then the health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network, refuse to refer an enrollee for health services provided within the scope of an eye care provider's license or reimburse for covered services in a discriminatory manner.

4. A health carrier may not require a licensed optometrist who provides basic medical eye care to participate solely through an intermediary if that health carrier permits ophthalmologist to contract directly with the health carrier."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Allen, **House Amendment No. 9** was adopted.

Representative Molendorp offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page 15, Line 26, by inserting after all of said section and lines the following:

“376.1226. 1. No contract between a health carrier or health benefit plan and a dentist for the provision of dental services under a dental plan shall require that the dentist provide dental services to insureds in the dental plan at a fee established by the health carrier or health benefit plan if such dental services are not covered services under the dental plan.

2. For purposes of this section, the following terms shall mean:

- (1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;**
- (2) "Dental plan", any policy or contract of insurance which provides for coverage of dental services;**
- (3) "Health benefit plan", the same meaning as such term is defined in section 376.1350;**
- (4) "Health carrier", the same meaning as such term is defined in section 376.1350.**

376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.

2. For purposes of this section, the following terms shall mean:

- (1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;**
- (2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;**
- (3) "Health carrier", the same meaning as such term is defined in section 376.1350;**
- (4) "Vision plan", any policy or contract of insurance which provides for coverage of vision care services.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 10** was adopted.

Representative Leara offered **House Amendment No. 11.**

House Amendment No. 11 was withdrawn.

Representative Thomson offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

“197.800. 1. Except as provided in subsection 3 of this section and subject to obtaining an employee's consent, a hospital licensed under this chapter shall annually administer or make available to be administered immunizations against the influenza virus to employees who have direct contact with a patient of the hospital. The hospital shall administer or make the immunizations available during the period beginning September first and ending March first of the following year.

2. A hospital shall conduct the immunization required under this section in accordance with recommendations established by the Advisory Committee on Immunization Practices of the United States Centers for Disease Control and Prevention that are in effect at the time the hospital conducts the immunizations.

3. A hospital is not required to provide or make available to the hospital's employees an annual immunization against the influenza virus if the department of health and senior services determines that the necessary vaccine is not in adequate supply. A hospital shall not require an employee to receive an immunization under this section if:

(1) The hospital has written documentation from the employee's physician or other health care provider indicating the date and place that the individual received an immunization required under this section and determines that no additional immunization is required;

(2) The immunization is medically contraindicated for the employee;

(3) Receiving the immunization is against the employee's religious beliefs; or

(4) The employee declines in writing the immunization after receiving education on the risks and benefits of an immunization against the influenza.

4. The department of health and senior services shall promulgate rules to develop the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 12** was adopted.

Representative Schad offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

"376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.

2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.

3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.

6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.

7. Coverage under this section may be administered by a specialty pharmacy network."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 13** was adopted.

Representative Scharnhorst offered **House Amendment No. 14**.

House Amendment No. 14 was withdrawn.

Representative Grisamore offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

“210.101. 1. There is hereby established the "Missouri Children's Services Commission", which shall be composed of the following members:

(1) The director or [deputy director of the department of labor and industrial relations and the director or deputy director of each state agency, department, division, or other entity which provides services or programs for children, including, but not limited to, the department of mental health, the department of elementary and secondary education, the department of social services, the department of public safety and the department of health and senior services] **the director's designee of the following departments: labor and industrial relations, corrections, elementary and secondary education, higher education, health and senior services, mental health, public safety, and social services;**

(2) One judge of a **family or** juvenile court, who shall be appointed by the chief justice of the supreme court;

(3) [One judge of a family court, who shall be appointed by the chief justice of the supreme court;

(4) Four] **Two** members, [two] **one** from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives;

[(5) Four] **(4) Two** members, [two] **one** from each political party, of the senate, who shall be appointed by the president pro tempore of the senate;

(5) Five at-large members who shall be appointed by the governor with the advice and consent of the senate, with one member representing each of the following: pediatricians, family physicians, hospital administrators, children's advocacy organizations, and parents of minor children.

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri children's services commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri children's services commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030. The Missouri children's services commission shall meet no less than once every two months[, and shall hold its first meeting no later than sixty days after September 28, 1983]. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri children's services commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The officers of the commission may hire an executive director. Funding for the executive director may be provided from the Missouri children's services commission fund or other sources provided by law.

7. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

210.102. 1. It shall be the duty of the Missouri children's services commission to:

(1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;

(2) Develop an integrated state plan for the care provided to children in this state through state programs;

(3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:

(a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;

(b) Program recommendations for children's services which include child development, education, supervision, health and social services;

(c) Goals with measurable outcomes for state agencies with respect to children's services;

(d) Policy recommendations to the governor and general assembly;

(4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;

(5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:

(a) A general description of the activities pertaining to children of each state agency having a member on the commission;

(b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;

(c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;

(d) A report from the commission regarding the state of children in Missouri.

2. There is hereby established within the children's services commission the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited to the following members:

(1) A representative from the governor's office;

(2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;

(3) A representative of the judiciary;

(4) A representative of the family and community trust board (FACT);

(5) A representative from the head start program;

(6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders. The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

3. The coordinating board for early childhood shall have the power to:

(1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;

(2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;

(3) Identify legislative recommendations to improve services for children from birth through age five;

(4) Promote coordination of existing services and programs across public and private entities;

(5) Promote research-based approaches to services and ongoing program evaluation;

(6) Identify service gaps and advise public and private entities on methods to close such gaps;

(7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and all actions necessary to avail itself of such aid and cooperation;

(8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;

(9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits,

or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;

(10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;

(11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;

(12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;

(13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;

(14) Adopt and use an official seal;

(15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;

(16) Make all expenditures which are incident and necessary to carry out its purposes;

(17) Sue and be sued in its official name;

(18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

4. There is hereby created the "Coordinating Board for Early Childhood Fund" which shall consist of the following:

(1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 2 and 3 of this section;

(2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;

(3) Any moneys received as fees authorized under subsections 2 and 3 of this section;

(4) Any moneys received as interest on deposits or as income on approved investments of the fund;

(5) Any moneys obtained from any other available source. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund.

210.105. 1. The general assembly finds and declares:

(1) Premature or preterm birth is the leading cause of infant death in Missouri. Premature infants are more than fifteen times as likely as other infants to die in the first year of life;

(2) Infants born preterm are more than twice as likely as full-term infants to have major birth defects;

(3) Birth defects are the second leading cause of infant death in Missouri;

(4) Missouri ranks thirty-third in the nation in the rate of infant mortality, with a statewide rate of seven and four-tenths deaths per one thousand live births;

(5) Between 2004 and 2008, prematurity conditions accounted for six and one-half deaths per one thousand live births in Missouri;

(6) Approximately eight babies, twelve and three-tenths percent born in Missouri, are born prematurely, or more than ten thousand babies born prior to thirty-seven weeks gestation annually;

(7) In 2006, the Institute of Medicine's Preterm Birth report found that annual United States costs associated with prematurity totaled twenty-six and one-half billion dollars or an average of fifty-one thousand six hundred dollars per premature infant, more than tenfold greater than the three thousand three hundred twenty-five dollar average medical costs of a full-term infant;

(8) The average length of hospital stay in 2005 was nearly nine times as long for a preterm infant, or thirteen days, compared with an average one and one-half day stay for an infant born at term;

(9) Preterm babies have an increased risk of short-term and long-term medical and developmental problems, such as intellectual disabilities, blindness, chronic lung disease and cerebral palsy, in comparison to full-term infants. Children born prematurely are also more likely to be enrolled in special education classes compared to children born at term;

(10) Approximately seventy percent of premature births occur in the late preterm period between thirty-four weeks and thirty-six weeks gestation;

(11) Standard practices of clinicians during the late preterm period vary across the state;

(12) Smoking, a modifiable risk factor, is the leading behavioral contributor to prematurity and in 2006, seventeen and six-tenths percent of Missouri pregnant women smoked. Smoking-attributable neonatal health care costs for Medicaid are approximately seven hundred thirty-eight dollars per pregnant smoker;

(13) Smoking during pregnancy is linked to some birth defects and the sudden infant death syndrome, the third leading cause of infant mortality;

- (14) Women who receive prenatal care are more likely to have access to:
 - (a) Health services that identify problems early;
 - (b) Managements for developing and existing problems; and
 - (c) Education, counseling, and referral to reduce risky behaviors, including but not limited to substance abuse and poor nutrition; and
- (15) Effective neonatal care improves the health of both mothers and infants.
- 2. There is hereby created the "Missouri Task Force on Prematurity and Infant Mortality" within the children's services commission to consist of the following twenty-three members:
 - (1) The following six members of the general assembly:
 - (a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;
 - (b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;
 - (2) The director of the department of health and senior services, or the director's designee;
 - (3) The director of the department of social services, or the director's designee;
 - (4) The director of the department of insurance, financial institutions and professional registration, or the director's designee;
 - (5) One member representing the March of Dimes, Greater Missouri Chapter;
 - (6) One member representing the American College of Obstetrics and Gynecology;
 - (7) One member representing the American Academy of Pediatrics;
 - (8) One member representing the American Academy of Family Physicians;
 - (9) One member representing the American Board of Perinatal Medicine who is a practicing perinatologist;
 - (10) One member representing the Association of Women's Health, Obstetric and Neonatal Nurses;
 - (11) One member representing the Missouri Hospital Association;
 - (12) One member representing the Missouri hospital members of the National Association of Children's Hospitals and Related Institutions (NACHRI);
 - (13) One member representing the American Board of Perinatal Medicine who is a practicing neonatologist;
 - (14) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;
 - (15) Two members representing insurance providers in the state of Missouri; and
 - (16) One member representing the Mother and Child Health Coalition of Kansas City, Missouri.

Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.

- 3. Members of the task force shall serve at the pleasure of the appointing authority.
- 4. A majority of a quorum from among the task force membership shall elect co-chairs of the task force.
- 5. A majority vote of a quorum of the task force is required for any action.
- 6. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of calendar year 2011. Meetings may be held by telephone or video conference at the discretion of the co-chairs.
- 7. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.
- 8. The goal of the task force is to measurably reduce Missouri's preterm birth and infant mortality rates through advocacy of evidence-based approaches facilitated through proposals for legislation, regulation, and public policy change.
- 9. The task force shall:
 - (1) Collaborate with and make recommendations to the general assembly;
 - (2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;
 - (3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;
 - (4) Develop strategies to reduce prematurity and infant mortality, including but not limited to:

- (a) Smoking cessation programs specifically targeting pregnant women;
 - (b) Standards for care for premature infants born less than thirty-seven weeks gestational age, including recommendations to improve hospital discharge and follow-up care procedures;
 - (c) Identify gaps in public reporting measures and possible effects of such measures on prematurity rates;
 - (d) Coordinate and execute an information and communications program among the appropriate professional communities on the causes and effects of premature births; and
 - (e) Identify evidence-based strategies to reduce the number of later preterm infants delivered in Missouri; and
 - (5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.
10. (1) On or before March 1, 2012, the task force shall submit a report on the current state of prematurity in Missouri to the governor and general assembly.
- (2) On or before January 15, 2013, the task force shall submit its final recommendations, including any recommendations for legislation necessary for implementation, to the governor and general assembly.
- (3) On or before January 15, 2015, the task force shall submit a final report evaluating the impact of the implementation of the recommendations from the report required under subdivision (2) of this subsection.
11. The task force shall expire on January 31, 2015, or upon submission of a final report under subdivision (3) of subsection 10 of this section, whichever is earlier.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stream offered House Substitute Amendment No. 1 for House Amendment No. 15.

*House Substitute Amendment No. 1
for
House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

“210.101. 1. There is hereby established the "Missouri Children's Services Commission", which shall be composed of the following members:

(1) The director or [deputy director of the department of labor and industrial relations and the director or deputy director of each state agency, department, division, or other entity which provides services or programs for children, including, but not limited to, the department of mental health, the department of elementary and secondary education, the department of social services, the department of public safety and the department of health and senior services] **the director's designee of the following departments: labor and industrial relations, corrections, elementary and secondary education, higher education, health and senior services, mental health, public safety, and social services;**

(2) One judge of a **family or** juvenile court, who shall be appointed by the chief justice of the supreme court;

(3) [One judge of a family court, who shall be appointed by the chief justice of the supreme court;

(4) Four] **Two** members, [two] **one** from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives;

[(5) Four] **(4) Two** members, [two] **one** from each political party, of the senate, who shall be appointed by the president pro tempore of the senate;

(5) Five at-large members who shall be appointed by the governor with the advice and consent of the senate, with one member representing each of the following: pediatricians, family physicians, hospital administrators, children's advocacy organizations, and parents of minor children.

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri children's services commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri children's services commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030. The Missouri children's services commission shall meet no less than once every two months[, and shall hold its first meeting no later than sixty days after September 28, 1983]. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri children's services commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The officers of the commission may hire an executive director. Funding for the executive director may be provided from the Missouri children's services commission fund or other sources provided by law.

7. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

210.102. 1. It shall be the duty of the Missouri children's services commission to:

(1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;

(2) Develop an integrated state plan for the care provided to children in this state through state programs;

(3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:

(a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;

(b) Program recommendations for children's services which include child development, education, supervision, health and social services;

(c) Goals with measurable outcomes for state agencies with respect to children's services;

(d) Policy recommendations to the governor and general assembly;

(4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;

(5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:

(a) A general description of the activities pertaining to children of each state agency having a member on the commission;

(b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;

(c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;

(d) A report from the commission regarding the state of children in Missouri.

2. There is hereby established within the children's services commission the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited to the following members:

(1) A representative from the governor's office;

(2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;

(3) A representative of the judiciary;

(4) A representative of the family and community trust board (FACT);

(5) A representative from the head start program;

(6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders. The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such

other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

3. The coordinating board for early childhood shall have the power to:

- (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;
- (2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;
- (3) Identify legislative recommendations to improve services for children from birth through age five;
- (4) Promote coordination of existing services and programs across public and private entities;
- (5) Promote research-based approaches to services and ongoing program evaluation;
- (6) Identify service gaps and advise public and private entities on methods to close such gaps;
- (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and all actions necessary to avail itself of such aid and cooperation;
- (8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;
- (9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits, or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;
- (10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;
- (11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;
- (12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;
- (13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;
- (14) Adopt and use an official seal;
- (15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;
- (16) Make all expenditures which are incident and necessary to carry out its purposes;
- (17) Sue and be sued in its official name;
- (18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

4. There is hereby created the "Coordinating Board for Early Childhood Fund" which shall consist of the following:

- (1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 2 and 3 of this section;
- (2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;
- (3) Any moneys received as fees authorized under subsections 2 and 3 of this section;
- (4) Any moneys received as interest on deposits or as income on approved investments of the fund;
- (5) Any moneys obtained from any other available source. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund.

210.105. 1. There is hereby created the "Missouri Task Force on Prematurity and Infant Mortality" within the children's services commission to consist of the following eighteen members:

- (1) The following six members of the general assembly:**
 - (a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;**
 - (b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;**
- (2) The director of the department of health and senior services, or the director's designee;**
- (3) The director of the department of social services, or the director's designee;**
- (4) The director of the department of insurance, financial institutions and professional registration, or the director's designee;**

- (5) One member representing a not-for-profit organization specializing in prematurity and infant mortality;
- (6) Two members who shall be either a physician or nurse practitioner specializing in obstetrics and gynecology, family medicine, pediatrics or perinatology;
- (7) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;
- (8) Two members representing insurance providers in the state;
- (9) One small business advocate; and
- (10) One member of the small business regulatory fairness board.

Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.

2. A majority of a quorum from among the task force membership shall elect a chair and vice-chair of the task force.

3. A majority vote of a quorum of the task force is required for any action.

4. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of 2011. Meetings may be held by telephone or video conference at the discretion of the chair.

5. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.

6. The goal of the task force is to seek evidence-based and cost-effective approaches to reduce Missouri's preterm birth and infant mortality rates.

7. The task force shall:

- (1) Submit findings to the general assembly;
- (2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;
- (3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;
- (4) Develop cost-effective strategies to reduce prematurity and infant mortality; and
- (5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.

8. On or before December 31, 2013, the task force shall submit a report on their findings to the governor and general assembly. The report shall include any dissenting opinions in addition to any majority opinions.

9. The task force shall expire on January 1, 2015, or upon submission of a report under subsection 8 of this section, whichever is earlier."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Substitute Amendment No. 1 for House Amendment No. 15** was adopted.

Representative Lichtenegger offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

"376.1231. Reimbursement amounts and copays paid by health carriers for any particular health care service or procedure rendered by a physical therapist within the scope of practice, as defined in chapter 334, shall be in the same amounts as reimbursements paid by health carriers to any other licensed physical therapist

performing the same or similar procedures. Such uniform reimbursement requirement shall apply regardless of the setting or venue in which the applicable health care services or procedures are rendered."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Ellinger	Largent	McGeoghegan	Nasheed
Sater	Webber			

VACANCIES: 004

On motion of Representative Lichtenegger, **House Amendment No. 16** was adopted.

Representative Wyatt offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

“197.705. 1. Except as otherwise provided in subsection 2 of this section, all hospitals [and health care facilities,] and ambulatory surgical centers as defined in sections 197.020 and [197.305] 197.200, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel and shall include the following:

(1) A recent photograph of the employee, the employee's first name, the employee's title, and the name of the health care facility or organization;

(2) The title of the employee shall be as large as possible in block type and shall occupy a tall strip as close as practicable to the top or bottom edge of the badge;

(3) Titles shall be as follows:

(a) A medical doctor as defined in section 334.021 shall have the title "Physician";

(b) Any nurse as defined in section 335.016 may have the title "Advanced Practice Registered Nurse", "Certified Nurse Midwife", "Certified Nurse Practitioner", "Certified Registered Nurse Anesthetist", "Licensed Practical Nurse", "Registered Nurse", or "Clinical Nurse Specialist" as applicable for such nurse's level of nursing, licensure, and certification; and

(c) All other titles shall be determined by rule by the department of health and senior services.

Nothing in this section shall prohibit a health care provider from placing the provider's additional specialty or designation after the provider's name on the badge.

2. Personnel shall not be required to wear an identification badge while delivering direct care to a consumer if not clinically feasible.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Nothing in this section shall require the immediate replacement of identification badges worn by personnel currently employed on or before August 28, 2011. Such identification badges shall be replaced within a reasonable time after August 28, 2011, such as at a regularly scheduled interval of reissuance; except that, all identification badges worn by personnel of hospitals and ambulatory surgical centers shall comply with this section within ten years from August 28, 2011.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz

Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Cierpiot	Dieckhaus	Ellinger	Fuhr
McGeoghegan	Nasheed	Sater	Schupp	Webb
Webber				

VACANCIES: 004

On motion of Representative Wyatt, **House Amendment No. 17** was adopted.

Representative Frederick offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

(b) **If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 18** was adopted.

Representative Fitzwater offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165,** may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city [or], county, **or hospital district** sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.”; and

Further amend said bill, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

“205.205. 1. The governing body of any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, and operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county hospital under this chapter and impose a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent,

and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

206.165. 1. The governing body of any hospital district established under sections 206.010 to 206.160 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed

solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill, Page 19, Section 630.167, Line 110, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to adequately fund certain hospital districts in this state, the repeal and reenactment of section 144.032 and the enactment of section 206.165 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 144.032 and the enactment of section 206.165 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

2499 *Journal of the House*

ABSENT WITH LEAVE: 011

Brattin	Casey	Diehl	Ellinger	McGeoghegan
McManus	McNary	Nolte	Sater	Schneider
Webber				

VACANCIES: 004

On motion of Representative Fitzwater, **House Amendment No. 19** was adopted.

On motion of Representative Frederick, **HCS SCS SB 177, as amended**, was adopted.

On motion of Representative Frederick, **HCS SCS SB 177, as amended**, was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Kander

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 008

Diehl	Ellinger	McGeoghegan	McNary	Nolte
Sater	Schneider	Webber		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 213, relating to guardianship, was taken up by Representative Barnes.

Representative Richardson offered **House Amendment No. 1**.

Representative Barnes raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (117) offered **House Amendment No. 2**.

Representative Colona raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka

2501 *Journal of the House*

Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Dieckhaus	Diehl	Ellinger	Flanigan	Frederick
Hubbard	Hughes	McGeoghegan	McNary	Nasheed
Nolte	Richardson	Sater	Schneider	Spreng
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Barnes, **HCS SCS SB 213** was adopted.

On motion of Representative Barnes, **HCS SCS SB 213** was read the third time and passed by the following vote:

AYES: 147

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Lochner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman

Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Dieckhaus	Ellinger	Hughes	McGeoghegan
McNary	Nolte	Richardson	Sater	Schneider
Webber	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 265**, entitled:

An act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof fourteen new sections relating to professional registration.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 265, Page 1, Section Title, Line 6 of the Title, by striking "professional registration" and inserting in lieu thereof the following:

"licensure of certain professions"; and

Further amend said bill, Page 2, Section 324.014, Line 7, by inserting after all of said line the following:

"324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

- (1) A written complaint;
- (2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;

(3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;

(4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency's legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

(1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the state of Missouri or residing outside the state of Missouri and not practicing in Missouri;

(2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;

(3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency;

or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment.

324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.

2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and

Further amend said bill, Page 13, Section 333.171, Line 19, by inserting after all of said line the following:

"334.001. 1. Notwithstanding any other provision of law to the contrary, the following information is an open record and shall be released upon request of any person and may be published on the board's website:

(1) The name of a licensee or applicant;

(2) The licensee's business address;

(3) Registration type;

(4) Currency of the license, certificate, or registration;

(5) Professional schools attended;

(6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;

(7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;

(8) Limitations on practice placed by a court of competent jurisdiction;

(9) Any final discipline by the board, including the content of the settlement agreement or order issued;

and

(10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.

2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.

3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.

4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further a board investigation or to facilitate settlement negotiations with the board, in the course of voluntary exchange of information with another state's licensing authority, pursuant to a court order, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.

5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.

6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person.

334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body **or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.** The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia]. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

(1) The American Specialty Board's certifying examination in the physician's field of specialization;

(2) Part II of the FLEX; or

(3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

4. **If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year**

period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.

334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location].

334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board. Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

334.099. 1. The board may initiate a contested hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:

(1) The board shall serve notice pursuant to section 536.067 of the contested hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;

(2) For purposes of this section and prior to any contested hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section;

(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;

(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;

(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the

board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;

(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;

(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a contested hearing to determine if by clear and convincing evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or excessive use or abuse of controlled substances, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.

4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.

5. The board shall promulgate rules and regulations to carry out the provisions of this section.

6. For purposes of this section, "examination" means a skills, multidisciplinary, or substance abuse evaluation.

334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an

essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid physician-patient relationship pursuant to section 334.108**, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] (m) Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

[(n)] (o) Failure to timely pay license renewal fees specified in this chapter;

[(o)] (p) Violating a probation agreement, **order, or other settlement agreement** with this board or any other licensing agency;

[(p)] (q) Failing to inform the board of the physician's current residence and business address;

[(q)] (r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

(s) **Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) **Knowingly making a false statement, orally or in writing to the board;**

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

[(16)] (17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

[(17)] (18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

[(18)] (19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

[(19)] (20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

[(20)] (21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

[(21)] (22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly

from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

[(22)] **(23)** A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

[(23)] **(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;**

(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;

(26) Revocation, suspension, limitation, **probation**, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, **or voluntary termination of a controlled substance authority while under investigation;**

[(24)] **(27)** For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center[;

(25) Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licensee graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section].

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

(1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and

(2) A licensee is practicing, attempting or intending to practice in Missouri; and

(3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and

(4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

(a) Shall be based on the sworn testimony or affidavits presented to the board;

(b) May be issued without notice and hearing to the licensee;

(c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may apply to the administrative hearing commission for an emergency suspension or restriction of a licensee for the following causes:**

(1) **Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented;**

(2) **Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law;**

(3) **Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record keeping violations;**

(4) **Use of a controlled substance without a valid prescription;**

(5) **The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction;**

(6) **Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program;**

(7) **A report from a board approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or**

(8) **Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.**

2. The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion

of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.

3. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 1 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.

4. The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance, but shall in any event, hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.

(1) If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.

(2) If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.

6. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

7. If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.

8. (1) The board may initiate a hearing before the board, for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.

9. A final decision of the administrative hearing commission or the board shall be subject to judicial review pursuant to chapter 536.

334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts.

The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:

(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;

(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;

(3) If appropriate, following up with the patient to assess the therapeutic outcome;

(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and

(5) Including the electronic prescription information as part of the patient's medical record.

2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:

(1) A hospital as defined in section 197.020;

(2) A hospice program as defined in section 197.250;

(3) Home health services provided by a home health agency as defined in section 197.400;

(4) Accordance with a collaborative practice agreement as defined in section 334.104;

(5) Conjunction with a physician assistant licensed pursuant to section 334.738;

(6) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or

(7) On-call or cross-coverage situations.

334.715. 1. The board may refuse to issue or renew any license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:

(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; or

(3) Any cause listed in section 334.100.

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

- (1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or**
- (2) Suspend the person's license, certificate, or permit for a period not to exceed three years; or**
- (3) Administer a public or private reprimand; or**
- (4) Deny the person's application for a license; or**
- (5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or**
- (6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.**

4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.

5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct."; and

Further amend said bill, Page 22, Section 436.456, Line 1, by inserting after all of said line the following:

"536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency's own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested

case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

536.067. In any contested case:

(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

(a) The caption and number of the case;

(b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct

examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded[.];

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term "business" shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such

affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision.

621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy

Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

Board of Barber Examiners

Board of Cosmetology

Board of Chiropody and Podiatry

Board of Chiropractic Examiners

Missouri Dental Board

Board of Embalmers and Funeral Directors

Board of Registration for the Healing Arts

Board of Nursing

Board of Optometry

Board of Pharmacy

Missouri Real Estate Commission

Missouri Veterinary Medical Board

Supervisor of Liquor Control

Department of Health and Senior Services

Department of Insurance, Financial Institutions and Professional Registration

Department of Mental Health

Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the

administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen**, or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section**, notice by publication as described in subsection 3 of section 506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

3. In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his or her license number; its designated date of expiration; the date of his or her original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his or her license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint.

621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with the commission's findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission's recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee's whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **SS for SCS for HCS for HB 430, as amended**, are allowed to exceed the differences by adding sections 226.540 & 226.541 regarding the regulation of outdoor advertising.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 464**, entitled:

An act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 105.1006, 105.1010, 105.1012, 162.1000, 162.1060, 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.101, 210.102, 210.496, 260.372, 260.705, 260.720, 260.725, 260.735, 286.001, 286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205, 324.600, 324.603, 324.606, 324.609, 324.612, 324.615, 324.618, 324.621, 324.624, 324.627, 324.630, 324.635, 324.1100, 324.1102, 324.1103, 324.1104, 324.1106, 324.1108, 324.1110, 324.1112, 324.1114, 324.1116, 324.1118, 324.1120, 324.1122, 324.1124, 324.1128, 324.1130, 324.1132, 324.1134, 324.1136, 324.1138, 324.1144, 344.060, 344.105, 344.108, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 536.310, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 630.900, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, section 362.105 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 362.105 as enacted by senate committee substitute for house committee substitute for house bill no. 221 merged with house substitute for senate committee substitute for senate bill no. 346, ninety-second general assembly, first regular session, and to enact in lieu thereof one hundred nine new sections relating to repealing and revising certain state boards, councils, committees, and commissions, with existing penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Pages 27-33, Section 208.955, by striking all of said section and inserting in lieu thereof the following:

“208.955. 1. There is hereby established in the department of social services the “MO HealthNet Oversight Committee”, which shall be appointed by January 1, 2008, and shall consist of [eighteen] **nineteen** members as follows:

(1) Two members of the house of representatives, one from each party, appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives;

(2) Two members of the Senate, one from each party, appointed by the president pro tem of the senate and the minority floor leader of the senate;

(3) One consumer representative **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;**

(4) Two primary care physicians, licensed under chapter 334, [recommended by any Missouri organization or association that represents a significant number of physicians licensed in this state,] who care for participants, not from the same geographic area, **chosen in the same manner as described in section 334.120;**

(5) Two physicians, licensed under chapter 334, who care for participants but who are not primary care physicians and are not from the same geographic area, [recommended by any Missouri organization or association that represents a significant number of physicians licensed in this state] **chosen in the same manner as described in section 334.120;**

(6) One representative of the state hospital association;

(7) [One] **Two** nonphysician health care [professional] **professionals, the first nonphysician health care professional licensed under chapter 335 and the second nonphysician health care professional licensed under chapter 337,** who [cares] **care** for participants[, recommended by the director of the department of insurance, financial institutions and professional registration];

(8) One dentist, who cares for participants[. The dentist shall be recommended by any Missouri organization or association that represents a significant number of dentists licensed in this state], **chosen in the same manner as described in section 332.021;**

(9) Two patient advocates **who have no financial interest in the health care industry and who have not been employees of the state within the last five years;**

(10) One public member **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;** and

(11) The directors of the department of social services, the department of mental health, the department of health and senior services, or the respective directors' designees, who shall serve as ex-officio members of the committee.

2. The members of the oversight committee, other than the members from the general assembly and ex-officio members, shall be appointed by the governor with the advice and consent of the senate. A chair of the oversight committee shall be selected by the members of the oversight committee. Of the members first appointed to the oversight committee by the governor, eight members shall serve a term of two years, seven members shall serve a term of one year, and thereafter, members shall serve a term of two years. Members shall continue to serve until their successor is duly appointed and qualified. Any vacancy on the oversight committee shall be filled in the same manner as the original appointment. Members shall serve on the oversight committee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of social services for that purpose. The department of social services shall provide technical, actuarial, and administrative support services as required by the oversight committee. The oversight committee shall:

(1) Meet on at least four occasions annually, including at least four before the end of December of the first year the committee is established. Meetings can be held by telephone or video conference at the discretion of the committee;

(2) Review the participant and provider satisfaction reports and the reports of health outcomes, social and behavioral outcomes, use of evidence-based medicine and best practices as required of the health improvement plans and the department of social services under section 208.950;

(3) Review the results from other states of the relative success or failure of various models of health delivery attempted;

(4) Review the results of studies comparing health plans conducted under section 208.950;

(5) Review the data from health risk assessments collected and reported under section 208.950;

(6) Review the results of the public process input collected under section 208.950;

(7) Advise and approve proposed design and implementation proposals for new health improvement plans submitted by the department, as well as make recommendations and suggest modifications when necessary;

(8) Determine how best to analyze and present the data reviewed under section 208.950 so that the health outcomes, participant and provider satisfaction, results from other states, health plan comparisons, financial impact of the various health improvement plans and models of care, study of provider access, and results of public input can be used by consumers, health care providers, and public officials;

(9) Present significant findings of the analysis required in subdivision (8) of this subsection in a report to the general assembly and governor, at least annually, beginning January 1, 2009;

(10) Review the budget forecast issued by the legislative budget office, and the report required under subsection (22) of subsection 1 of section 208.151, and after study:

(a) Consider ways to maximize the federal drawdown of funds;

(b) Study the demographics of the state and of the MO HealthNet population, and how those demographics are changing;

(c) Consider what steps are needed to prepare for the increasing numbers of participants as a result of the baby boom following World War II;

(11) Conduct a study to determine whether an office of inspector general shall be established. Such office would be responsible for oversight, auditing, investigation, and performance review to provide increased accountability, integrity, and oversight of state medical assistance programs, to assist in improving agency and program operations, and to deter and identify fraud, abuse, and illegal acts. The committee shall review the experience of all states that have created a similar office to determine the impact of creating a similar office in this state; and

(12) Perform other tasks as necessary, including but not limited to making recommendations to the division concerning the promulgation of rules and emergency rules so that quality of care, provider availability, and participant satisfaction can be assured.

3. By July 1, 2011, the oversight committee shall issue findings to the general assembly on the success and failure of health improvement plans and shall recommend whether or not any health improvement plans should be discontinued.

4. The oversight committee shall designate a subcommittee devoted to advising the department on the development of a comprehensive entry point system for long-term care that shall:

(1) Offer Missourians an array of choices including community-based, in-home, residential and institutional services;

(2) Provide information and assistance about the array of long-term care services to Missourians;

(3) Create a delivery system that is easy to understand and access through multiple points, which shall include but shall not be limited to providers of services;

(4) Create a delivery system that is efficient, reduces duplication, and streamlines access to multiple funding sources and programs;

(5) Strengthen the long-term care quality assurance and quality improvement system;

(6) Establish a long-term care system that seeks to achieve timely access to and payment for care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies; and

(7) Study one-stop shopping for seniors as established in section 208.612.

5. The subcommittee shall include the following members:

(1) The lieutenant governor or his or her designee, who shall serve as the subcommittee chair;

(2) One member from a Missouri area agency on aging, designated by the governor;

(3) One member representing the in-home care profession, designated by the governor;

(4) One member representing residential care facilities, predominantly serving MO HealthNet participants, designated by the governor;

(5) One member representing assisted living facilities or continuing care retirement communities, predominantly serving MO HealthNet participants, designated by the governor;

(6) One member representing skilled nursing facilities, predominantly serving MO HealthNet participants, designated by the governor;

(7) One member from the office of the state ombudsman for long-term care facility residents, designated by the governor;

(8) One member representing Missouri centers for independent living, designated by the governor;

(9) One consumer representative with expertise in services for seniors or [the disabled] **persons with a disability**, designated by the governor;

(10) One member with expertise in Alzheimer's disease or related dementia;

(11) One member from a county developmental disability board, designated by the governor;

(12) One member representing the hospice care profession, designated by the governor;

(13) One member representing the home health care profession, designated by the governor;

- (14) One member representing the adult day care profession, designated by the governor;
- (15) One member gerontologist, designated by the governor;
- (16) Two members representing the aged, blind, and disabled population, not of the same geographic area or demographic group designated by the governor;
- (17) The directors of the departments of social services, mental health, and health and senior services, or their designees; and
- (18) One member of the house of representatives and one member of the senate serving on the oversight committee, designated by the oversight committee chair.

Members shall serve on the subcommittee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of health and senior services for that purpose. The department of health and senior services shall provide technical and administrative support services as required by the committee.

6. By October 1, 2008, the comprehensive entry point system subcommittee shall submit its report to the governor and general assembly containing recommendations for the implementation of the comprehensive entry point system, offering suggested legislative or administrative proposals deemed necessary by the subcommittee to minimize conflict of interests for successful implementation of the system. Such report shall contain, but not be limited to, recommendations for implementation of the following consistent with the provisions of section 208.950:

(1) A complete statewide universal information and assistance system that is integrated into the web-based electronic patient health record that can be accessible by phone, in-person, via MO HealthNet providers and via the Internet that connects consumers to services or providers and is used to establish consumers' needs for services. Through the system, consumers shall be able to independently choose from a full range of home, community-based, and facility-based health and social services as well as access appropriate services to meet individual needs and preferences from the provider of the consumer's choice;

(2) A mechanism for developing a plan of service or care via the web-based electronic patient health record to authorize appropriate services;

(3) A preadmission screening mechanism for MO HealthNet participants for nursing home care;

(4) A case management or care coordination system to be available as needed; and

(5) An electronic system or database to coordinate and monitor the services provided which are integrated into the web-based electronic patient health record.

7. Starting July 1, 2009, and for three years thereafter, the subcommittee shall provide to the governor, lieutenant governor and the general assembly a yearly report that provides an update on progress made by the subcommittee toward implementing the comprehensive entry point system.

8. The provisions of section 23.253 shall not apply to sections 208.950 to 208.955.”; and

Further amend said bill, Page 64, Section 324.1144, Line 6 of said page, by inserting after all of said line the following:

“332.021. 1. “The Missouri Dental Board” shall consist of seven members including five registered and currently licensed dentists, one registered and currently licensed dental hygienist with voting authority as limited in subsection 4 of this section, and one voting public member. Any currently valid certificate of registration or currently valid specialist's certificate issued by the Missouri dental board as constituted pursuant to prior law shall be a valid certificate of registration or a valid specialist's certificate, as the case may be, upon October 13, 1969, and such certificates shall be valid so long as the holders thereof comply with the provisions of this chapter.

2. Any person other than the public member appointed to the board as hereinafter provided shall be a dentist or a dental hygienist who is registered and currently licensed in Missouri, is a United States citizen, has been a resident of this state for one year immediately preceding his or her appointment, has practiced dentistry or dental hygiene for at least five consecutive years immediately preceding his or her appointment, shall have graduated from an accredited dental school or dental hygiene school, and at the time of his or her appointment or during his or her tenure on the board has or shall have no connection with or interest in, directly or indirectly, any dental college, dental hygiene school, university, school, department, or other institution of learning wherein dentistry or dental hygiene is taught, or with any dental laboratory or other business enterprise directly related to the practice of dentistry or dental hygiene.

3. The governor shall appoint members to the board by and with the advice and consent of the senate when a vacancy thereon occurs either by the expiration of a term or otherwise; provided, however, that any board member shall serve until his or her successor is appointed and has qualified. Each appointee, except where appointed to fill an unexpired term, shall be appointed for a term of five years. The president of the Missouri Dental Association in office at the time shall, at least ninety days prior to the expiration of the term of a board member other than the dental hygienist

or public member, or as soon as feasible after a vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five dentists qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Dental Association shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

4. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. **The list of dentists submitted to the governor shall include the names submitted to the director of the division of professional registration by the president of the Missouri Dental Association. This list shall be a public record available for inspection and copying under chapter 610.** Lists of dental hygienists submitted to the governor may include names submitted to the director of the division of professional registration by the president of the Missouri Dental Hygienists' Association. The duties of the dental hygienist member shall not include participation in the determination for or the issuance of a certificate of registration or a license to practice as a dentist. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

5. The board shall have a seal which shall be in circular form and which shall impress the word "SEAL" in the center and around said word the words "Missouri Dental Board". The seal shall be affixed to such instruments as hereinafter provided and to any other instruments as the board shall direct.

6. The board may sue and be sued as the Missouri dental board, and its members need not be named as parties. Members of the board shall not be personally liable, either jointly or severally, for any act or acts committed in the performance of their official duties as board members; nor shall any board member be personally liable for any court costs which accrue in any action by or against the board.

334.120. 1. There is hereby created and established a board to be known as "The State Board of Registration for the Healing Arts" for the purpose of registering, licensing and supervising all physicians and surgeons, and midwives in this state. The board shall consist of nine members, including one voting public member, to be appointed by the governor by and with the advice and consent of the senate, at least five of whom shall be graduates of professional schools accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates, and at least two of whom shall be graduates of professional schools approved and accredited as reputable by the American Osteopathic Association, and all of whom, except the public member, shall be duly licensed and registered as physicians and surgeons pursuant to the laws of this state. Each member must be a citizen of the United States and must have been a resident of this state for a period of at least one year next preceding his or her appointment and shall have been actively engaged in the lawful and ethical practice of the profession of physician and surgeon for at least five years next preceding his or her appointment. Not more than four members shall be affiliated with the same political party. All members shall be appointed for a term of four years. Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of his or her expenses necessarily incurred in the discharge of his or her official duties. The president of the Missouri State Medical Association, for all medical physician appointments, or the president of the Missouri Association of Osteopathic Physicians and Surgeons, for all osteopathic physician appointments, in office at the time shall, at least ninety days prior to the expiration of the term of the respective board member, other than the public member, or as soon as feasible after the appropriate vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five physicians and surgeons qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, as appropriate, shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

2. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter.

All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. **The list of medical physicians or osteopathic physicians submitted to the governor shall include the names submitted to the director of the division of professional registration by the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, respectively. This list shall be a public record available for inspection and copying under chapter 610.** The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 38, Section 210.496, Lines 1-21, by striking all of said section from the bill; and

Further amend said bill, Page 132, Section 208.530, Lines 1-13, by striking all of said section from the bill; and

Further amend said bill, Pages 132-133, Section 208.533, by striking all of said section from the bill; and

Further amend said bill, Pages 133-135, Section 208.535, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 3

AMEND Senate Amendment No. 3 to Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 3, Line 20, by striking the words "drafting legislation" and inserting in lieu thereof the following:

"recommendations".

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 34, Section 210.101, Lines 22-26, by striking all of said lines; and

Further amend said bill, Page 35 to 38, Section 210.102, by striking said section from the bill; and

Further amend said bill, Section 210.102, Page 38, Line 113, by inserting after all of said line the following:

"210.105. 1. There is hereby created the "Missouri Task Force on Prematurity and Infant Mortality" within the children's services commission to consist of the following eighteen members:

(1) The following six members of the general assembly:

(a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;

(b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;

(2) The director of the department of health and senior services, or the director's designee;

(3) The director of the department of social services, or the director's designee;

(4) The director of the department of insurance, financial institutions and professional registration, or the director's designee;

(5) One member representing a not-for-profit organization specializing in prematurity and infant mortality;

- (6) Two members who shall be either a physician or nurse practitioner specializing in obstetrics and gynecology, family medicine, pediatrics or perinatology;
- (7) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;
- (8) Two members representing insurance providers in the state;
- (9) One small business advocate; and
- (10) One member of the small business regulatory fairness board.

Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.

2. A majority of a quorum from among the task force membership shall elect a chair and vice-chair of the task force.

3. A majority vote of a quorum of the task force is required for any action.

4. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of 2011. Meetings may be held by telephone or video conference at the discretion of the chair.

5. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.

6. The goal of the task force is to seek evidence-based and cost-effective approaches to reduce Missouri's preterm birth and infant mortality rates.

7. The task force shall:

- (1) Submit findings to the general assembly;
- (2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;
- (3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;
- (4) Develop cost-effective strategies to reduce prematurity and infant mortality; and
- (5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.

8. On or before December 31, 2013, the task force shall submit a report on their findings to the governor and general assembly. The report shall include any dissenting opinions in addition to any majority opinions.

9. The task force shall expire on January 1, 2015, or upon submission of a report under subsection 8 of this section, whichever is earlier."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 151, Section 324.635, Line 5, by inserting after all of said line the following:

"[324.1140. 1. The board of private investigator examiners shall license persons who are qualified to train private investigators.

2. Persons wishing to become licensed trainers shall make application to the board of private investigator examiners on a form prescribed by the board and accompanied by a fee determined by the board. The application shall contain a statement of the plan of operation of the training offered by the applicant and the materials and aids to be used and any other information required by the board.

3. A license shall be granted to a trainer if the board finds that the applicant:

- (1) Has sufficient knowledge of private investigator business in order to train private investigators sufficiently;
- (2) Has supplied all required information to the board; and
- (3) Has paid the required fee.

4. The license issued under this section shall be valid for two years and shall be renewable biennially upon application and payment of the renewal fee established by the board. An application for renewal of license shall be mailed to every person to whom a license was issued or renewed during the current licensing period. The applicant shall complete the application and return it to the board by the renewal date with a renewal fee in an amount to be set by the board and with evidence of continuing education under section 324.1122. Any licensee who practices during the time the license has expired shall be considered engaging in prohibited acts under section 324.1104 and shall be subject to the penalties provided for the violation of the provisions of sections 324.1100 to 324.1148. If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certificate or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the board, and present evidence in the form prescribed by the board of having completed the continuing education requirements for renewal specified in section 324.1122. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee. If a person has failed to renew the person's license within two years of its expiration, the license shall be void.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 46, Section 320.094, Line 78, by striking the word "shall"; and

Further amend Line 79, by striking "be a person with expertise in fire prevention" and inserting in lieu thereof the following:

"who provides fire safety appliances or equipment".

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 98, Section 536.310, Line 25, by inserting after the word "appropriations," the following:

"by a majority vote of the board,"; and

Further amend Line 27, by striking all of said line and inserting in lieu thereof the following:

"employee with total salaries funded from the department of economic development appropriations up to one hundred fifty thousand dollars adjusted annually for inflation for professional positions to:"; and

Further amend said bill and section, Page 99, Line 53, by striking the word "and" as it appears the second time on said line; and

Further amend Line 54, by inserting immediately after the word "costs" the following:

"; and

(6) Expenses and equipment for the one and one half full time equivalent employee of the board.

5. A majority vote of the board members shall be required for the hiring, retention, and termination of board employees. All duties of board employees shall be dedicated solely to the support of and for the furtherance of the purpose and mission of the board"; and

Further amend said bill, Pages 99-100, Section 536.312, Lines 1-13, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 6, Section 37.745, Line 3, by inserting after all of said line the following:

“90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.

2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, as amended, HA 3 SCS SB 81**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 284, as amended**, and has taken up and passed **CCS HCS SB 284**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House grant further conference on **HCS SCS SB 356, as amended**.

BILLS IN CONFERENCE

CCR SCS HB 142, as amended, relating to auditors, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **CCR SCS HB 142, as amended**, was adopted by the following vote:

AYES: 134

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Diehl	Elmer
Entlicher	Fallert	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton

Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McManus	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 010

Brattin	Brown 85	Curtman	Dugger	Fuhr
Koenig	Lasater	Marshall	Schieber	Smith 150

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Dieckhaus	Ellinger	Fisher	Hughes
Jones 117	McGeoghegan	McGhee	McNary	Pollock
Sater	Schad	Scharnhorst	Schneider	Webber

VACANCIES: 004

On motion of Representative Gatschenberger, **CCS SCS HB 142** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed

2529 *Journal of the House*

Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 011

Brattin	Brown 85	Dugger	Fuhr	Haefner
Koenig	Lasater	Marshall	Schieber	Smith 150
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Ellinger	Fisher	Hughes	Jones 117
McGeoghegan	Pollock	Sater	Scharnhorst	Webber

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

Representative Silvey assumed the Chair.

CCR SCS HB 101, as amended, relating to liquor and wine tasting, was taken up by Representative Loehner.

On motion of Representative Loehner, **CCR SCS HB 101, as amended**, was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McDonald	McGhee

McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 71	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 005

Davis	Entlicher	McCaherty	Schatz	Smith 150
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PRESENT: 001

Shumake

ABSENT WITH LEAVE: 013

Dieckhaus	Diehl	Dugger	Ellinger	Fuhr
Hughes	Jones 117	McGeoghegan	Parkinson	Sater
Webber	Wells	Mr Speaker		

VACANCIES: 004

On motion of Representative Loehner, **CCS SCS HB 101** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Cross
Curtman	Day	Denison	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Solon
Spreng	Stream	Swearingen	Swinger	Talboy

2531 *Journal of the House*

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 007

Brattin	Crawford	Davis	Entlicher	McCaherty
Schatz	Smith 150			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 019

Bernskoetter	Dieckhaus	Diehl	Dugger	Ellinger
Fuhr	Hough	Hughes	Jones 117	Lampe
McGeoghegan	Nance	Nasheed	Rowland	Sater
Still	Webber	Wells	Mr Speaker	

VACANCIES: 004

Representative Silvey declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 506**, entitled:

An act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to property tax levy revisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 506, Page 12, Section 137.073, Line 380, by inserting immediately after said line the following:

"238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

- (1) "Board", the board of directors of a district;
- (2) "Commission", the Missouri highways and transportation commission;
- (3) "District", a transportation development district organized under sections 238.200 to 238.275;
- (4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

- (5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Qualified electors", "qualified voters" or "voters":

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under [subsection 1] **subsections 1 or 5** of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 506, Page 12, Section 137.073, Line 380, by inserting after all of said line the following:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty- two thousand inhabitants, but less than eighty-two thousand one hundred

inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

BILL CARRYING REQUEST MESSAGE

SCS SB 81, with House Amendment No. 1, House Amendment No. 2, as amended, and House Amendment No. 3, relating to fine arts education, was taken up by Representative Frederick.

Representative Frederick moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, and House Amendment No. 3** to **SCS SB 81** and grant the Senate a conference thereon.

Which motion was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS SB 81: Representatives Frederick, Funderburk, Stream, Carter and Aull

Representative Silvey resumed the Chair.

THIRD READING OF SENATE CONCURRENT RESOLUTION

SCR 11, relating to Diabetic Peripheral Neuropathy Week, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCR 11** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

2535 *Journal of the House*

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Conway 14	Day	Dieckhaus	Diehl	Ellinger
Hughes	Jones 117	Leara	McGeoghegan	Nasheed
Sater	Webber	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

SENATE CONCURRENT RESOLUTIONS

SCR 7, relating to the state auditor's report, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **SCR 7** was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Dieckhaus	Diehl	Ellinger	Jones 117
McGeoghegan	Molendorp	Sater	Webber	Zerr
Mr Speaker				

VACANCIES: 004

SCR 12, relating to atrial fibrillation, was taken up by Representative Higdon.

On motion of Representative Higdon, **SCR 12** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Berry	Day	Denison	Dieckhaus	Diehl
Ellinger	Jones 117	McCaherty	McGeoghegan	Neth
Sater	Webber	Zerr	Mr Speaker	

VACANCIES: 004

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 161, relating to transient guest taxes, was taken up by Representative Cox.

Representative Jones (89) assumed the Chair.

On motion of Representative Cox, **SS SCS HCS HB 161** was adopted by the following vote:

AYES: 101

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 116
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Denison
Dieckhaus	Diehl	Elmer	Fallert	Fitzwater
Fraker	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Korman	Kratky	Lair	Lampe	Lant
Largent	Leara	Loehner	Long	May
McCann Beatty	McDonald	McGhee	McNary	McNeil
Molendorp	Montecillo	Nance	Newman	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schneider
Sifton	Solon	Spreng	Still	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Weter	Wieland	Wright
Zerr				

NOES: 049

Asbury	Bahr	Berry	Brattin	Brown 85
Burlison	Carlson	Casey	Conway 14	Curtman
Davis	Dugger	Entlicher	Franklin	Guernsey
Haefner	Harris	Hodges	Houghton	Klippenstein
Koenig	Lasater	Lauer	Leach	Lichtenegger
Marshall	McCaherty	McManus	Meadows	Nasheed
Neth	Nichols	Nolte	Quinn	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Swearingen
Taylor	Wells	White	Wyatt	

PRESENT: 001

Fuhr

ABSENT WITH LEAVE: 008

Day	Ellinger	Fisher	Flanigan	McGeoghegan
Sater	Webber	Mr Speaker		

VACANCIES: 004

On motion of Representative Cox, **SS SCS HCS HB 161** was truly agreed to and finally passed by the following vote:

AYES: 092

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 116
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Denison	Dieckhaus	Diehl
Fallert	Fisher	Fitzwater	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Hampton	Higdon	Holsman	Hoskins	Hough
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Long	May	McCann Beatty
McDonald	McGhee	McNary	McNeil	Molendorp
Montecillo	Nance	Newman	Oxford	Pace
Parkinson	Pierson	Pollock	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schneider	Sifton	Spreng	Still	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Weter	Wieland	Wright
Zerr	Mr Speaker			

NOES: 059

Asbury	Bahr	Berry	Brattin	Brown 85
Burlison	Carlson	Casey	Conway 14	Crawford
Cross	Curtman	Davis	Dugger	Elmer
Entlicher	Franklin	Guernsey	Haefner	Harris
Hinson	Hodges	Houghton	Hubbard	Klippenstein
Koenig	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McManus
Meadows	Nasheed	Neth	Nichols	Nolte
Phillips	Quinn	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Swearingen
Taylor	Wells	White	Wyatt	

PRESENT: 000

2539 *Journal of the House*

ABSENT WITH LEAVE: 008

Day	Ellinger	Flanigan	Fuhr	McGeoghegan
Redmon	Sater	Webber		

VACANCIES: 004

Representative Jones (89) declared the bill passed.

SCS HB 1008, relating to highway infrastructure improvements, was taken up by Representative Long.

On motion of Representative Long, **SCS HB 1008** was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 003

Lasater	Marshall	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Conway 14	Day	Diehl	Ellinger
Entlicher	Fisher	Holsman	Hough	Jones 117
Leara	McGeoghegan	McNary	Nasheed	Richardson
Sater	Swearingen	Webber	Zerr	

VACANCIES: 004

On motion of Representative Long, **SCS HB 1008** was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 003

Lasater	Marshall	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Conway 14	Day	Ellinger	Fisher
Grisamore	Holsman	Hough	Jones 117	Leara
McGeoghegan	Nolte	Sater	Webber	Zerr

VACANCIES: 004

Representative Jones (89) declared the bill passed.

SS SCS HCS HBs 470 & 429, as amended, relating to nonresident entertainer income tax, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **SS SCS HCS HBs 470 & 429, as amended**, was adopted by the following vote:

AYES: 120

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nasheed	Pace	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 022

Carlson	Conway 27	Dugger	Fallert	Harris
Hodges	Hughes	Kirkton	Kratky	Marshall
May	Meadows	Nance	Newman	Nichols
Oxford	Phillips	Pierson	Quinn	Schupp
Shively	Spreng			

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Ellinger	Flanigan	Hinson	Hough
Jones 117	Lasater	Leara	McGeoghegan	Neth
Nolte	Sater	Schneider	Still	Webber
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Funderburk, **SS SCS HCS SBs 470 & 429, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nasheed	Nichols	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 017

Carlson	Conway 27	Dugger	Fallert	Harris
Hodges	Kirkton	Kratky	Marshall	May
Meadows	Nance	Newman	Quinn	Schupp
Shively	Spreng			

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Denison	Ellinger	Flanigan	Fraker
Jones 117	Lasater	Leara	McGeoghegan	Neth
Nolte	Oxford	Sater	Schneider	Webber
Zerr				

VACANCIES: 004

Representative Jones (89) declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 344**, entitled:

An act to repeal section 275.360, RSMo, and to enact in lieu thereof two new sections relating to farming.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 177, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 254, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SB 177, as amended, relating to health care, was taken up by Representative Frederick.

Representative Frederick moved that the House refuse to recede from its position on **HCS SB 177, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SCS SB 254, as amended, relating to intoxication-traffic related offenses, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SS SCS SB 254, as amended**, and grant the Senate a conference.

Which motion was adopted.

BILL IN CONFERENCE

HCS SCS SB 356, as amended, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner moved that the House grant the Senate further conference.

Representative Silvey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Entlicher	Fitzwater	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 046

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 026

Bernskoetter	Day	Diehl	Ellinger	Elmer
Fisher	Flanigan	Fraker	Frederick	Higdon
Holsman	Hubbard	Jones 117	Klippenstein	Leara
Long	McGeoghegan	Nasheed	Neth	Sater
Schieffer	Schneider	Shumake	Spreng	Webber
Zerr				

VACANCIES: 004

Representative Loehner again moved that the House grant the Senate further conference.

Which motion was adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SCS HCS HB 89, as amended, relating to funding for natural resources, was taken up by Representative Pollock.

Representative Silvey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Silvey
Smith 150	Solon	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 019

Day	Dieckhaus	Diehl	Ellinger	Flanigan
Fraker	Franklin	Higdon	Hughes	Leara
McGeoghegan	Nasheed	Phillips	Sater	Schieber
Schieffer	Shumake	Stream	Webber	

VACANCIES: 004

On motion of Representative Pollock, **SS#2 SCS HCS HB 89, as amended**, was adopted.

On motion of Representative Pollock, **SS#2 SCS HCS HB 89, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 003

Atkins	Schupp	Walton Gray
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PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Dieckhaus	Diehl	Ellinger	Flanigan
Fraker	Hughes	Leara	McCann Beatty	McGeoghegan
Sater	Schieffer	Shumake	Webber	Wright

VACANCIES: 004

Representative Jones (89) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 001

Marshall

PRESENT: 002

Quinn Smith 71

ABSENT WITH LEAVE: 018

Cookson	Day	Dieckhaus	Diehl	Ellinger
Flanigan	Fraker	Grisamore	Holsman	Hughes
Leara	Loehner	McGeoghegan	Sater	Schieffer
Shumake	Wallingford	Zerr		

VACANCIES: 004

Speaker Tilley assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 177: Representatives Frederick, Allen, Wells, Carter and Colona
HCS SS SCS SB 254: Representatives Cox, Elmer, Barnes, Colona and Carlson

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS SB 356: Representatives Loehner, Schad, Wright, Holsman and Harris

Representative Jones (89) resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 431, relating to foster care and adoption, was taken up by Representative Franz.

On motion of Representative Franz, **SS SCS HCS HB 431** was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Swearingen	Swinger	Talboy

2549 *Journal of the House*

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Day	Diehl	Ellinger	Flanigan	Hinson
Hughes	Jones 117	Leara	Lochner	McGeoghegan
McManus	Meadows	Parkinson	Richardson	Sater
Schieffer	Schneider	Shumake	Stream	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Franz, **SS SCS HCS HB 431** was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Day	Diehl	Ellinger	Flanigan	Hinson
Hughes	Leara	Loehner	McGeoghegan	McGhee
Nasheed	Parkinson	Pollock	Richardson	Sater
Schieffer	Schneider	Zerr		

VACANCIES: 004

Representative Jones (89) declared the bill passed.

SS SCS HB 184, relating to commissioners of road districts, was taken up by Representative Dugger.

On motion of Representative Dugger, **SS SCS HB 184** was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

2551 *Journal of the House*

ABSENT WITH LEAVE: 018

Conway 14	Day	Diehl	Ellinger	Flanigan
Fuhr	Holsman	Hughes	Lair	Leara
McGeoghegan	Parkinson	Pollock	Richardson	Sater
Schieffer	Schneider	Webb		

VACANCIES: 004

On motion of Representative Dugger, **SS SCS HB 184** was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Conway 14	Day	Ellinger	Flanigan	Guernsey
Holsman	Hughes	Jones 63	Jones 89	Lair
Leara	McGeoghegan	Molendorp	Parkinson	Richardson
Sater	Scharnhorst	Schieffer	Schneider	

VACANCIES: 004

Representative Jones (89) declared the bill passed.

SCS HCS HBs 300, 334 & 387, as amended, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

Representative Smith (150) assumed the Chair.

Representative Silvey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 001

Kelly 24

2553 *Journal of the House*

ABSENT WITH LEAVE: 018

Conway 14	Day	Ellinger	Flanigan	Franklin
Franz	Funderburk	Hampton	Hughes	Leara
McGeoghegan	Molendorp	Nasheed	Parkinson	Sater
Schieffer	Wright	Mr Speaker		

VACANCIES: 004

On motion of Representative Gatschenberger, **SCS HCS HBs 300, 334 & 387, as amended**, was adopted by the following vote:

AYES: 133

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Nance
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 008

Asbury	Burlison	Curtman	Guernsey	Kelly 24
Koenig	Neth	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 14	Day	Ellinger	Fisher	Flanigan
Franklin	Funderburk	Hampton	Hughes	Leara
McGeoghegan	Molendorp	Nasheed	Parkinson	Sater
Schieffer	Schoeller	Spreng		

VACANCIES: 004

On motion of Representative Gatschenberger, **SCS HCS HBs 300, 334 & 387, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 008

Asbury	Burlison	Curtman	Guernsey	Kelly 24
Koenig	Neth	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 017

Conway 14	Day	Ellinger	Fisher	Flanigan
Franklin	Funderburk	Hughes	Leara	McGeoghegan
Nasheed	Parkinson	Pollock	Sater	Scharnhorst
Schieffer	Still			

VACANCIES: 004

Representative Smith (150) declared the bill passed.

BILL IN CONFERENCE

CCR HCS SB 59, as amended, relating to judicial procedures, was taken up by Representative Diehl.

On motion of Representative Diehl, **CCR HCS SB 59, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Denison	Ellinger	Fisher	Flanigan
Funderburk	Hughes	Leara	McGeoghegan	Nasheed
Sater	Scharnhorst	Schieffer	Webb	

VACANCIES: 004

On motion of Representative Diehl, **CCS HCS SB 59** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Lochner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Day	Denison	Ellinger	Fisher
Flanigan	Funderburk	Hough	Hughes	Leara
McGeoghegan	Nasheed	Sater	Scharnhorst	Schieffer
Webb				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 661, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **SCS HB 661** was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Kirkton	McNeil	Newman	Spreng
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PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Denison	Diehl	Ellinger	Fisher
Flanigan	Funderburk	Hughes	Leara	May
McGeoghegan	Nasheed	Nolte	Sater	Scharnhorst
Schieffer	Webb			

VACANCIES: 004

On motion of Representative Wells, **SCS HB 661** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 005

Kirkton	May	McNeil	Newman	Spreng
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PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Denison	Diehl	Ellinger	Fisher
Fitzwater	Flanigan	Funderburk	Hughes	Leara
McGeoghegan	Nasheed	Sater	Scharnhorst	Schieffer
Webb				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

HCR 32, with Senate Amendment No. 1, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Still

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Day	Denison	Diehl	Ellinger
Fisher	Franklin	Funderburk	Hughes	McGeoghegan
Molendorp	Nance	Nasheed	Nolte	Sater
Scharnhorst	Schieffer			

VACANCIES: 004

On motion of Representative Bernskoetter, **HCR 32, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Neth	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 003

Kirkton	Newman	Still
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PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Denison	Ellinger	Fisher	Funderburk
Guernsey	Hough	Hughes	McGeoghegan	Molendorp
Nasheed	Nolte	Sater	Scharnhorst	Schieffer

VACANCIES: 004

SS SCS HB 213, relating to abortion, was taken up by Representative Jones (89).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 034

Atkins	Aull	Brown 50	Carlson	Carter
Colona	Conway 27	Holsman	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 012

Black	Casey	Fallert	Harris	Hodges
Hummel	Kratky	McManus	Meadows	Quinn
Shively	Swinger			

ABSENT WITH LEAVE: 014

Anders	Day	Denison	Ellinger	Elmer
Entlicher	Hubbard	Hughes	McGeoghegan	Nasheed
Sater	Scharnhorst	Schieffer	Spreng	

VACANCIES: 004

On motion of Representative Jones (89), **SS SCS HB 213** was adopted by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 032

Atkins	Brown 50	Carlson	Carter	Colona
Jones 63	Kander	Kelly 24	Kirkton	Lampe
May	McCann Beatty	McDonald	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 001

Holsman

ABSENT WITH LEAVE: 010

Day	Denison	Ellinger	Elmer	Hubbard
Hughes	McGeoghegan	Nasheed	Sater	Schieffer

VACANCIES: 004

On motion of Representative Jones (89), **SS SCS HB 213** was truly agreed to and finally passed by the following vote:

AYES: 117

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 030

Atkins	Carlson	Colona	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 001

Holsman

ABSENT WITH LEAVE: 011

Carter	Day	Denison	Ellinger	Hubbard
Hughes	McGeoghegan	Nasheed	Parkinson	Sater
Schieffer				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

SCS HCS HB 506, as amended, relating to revision of prior tax levies, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **SCS HCS HB 506, as amended**, was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Carter	Conway 14	Day	Denison	Ellinger
Fisher	Flanigan	Grisamore	Guernsey	Holsman
Hughes	Jones 117	Loehner	McGeoghegan	Nance
Nasheed	Nolte	Richardson	Sater	Schad
Schieffer	Schneider			

VACANCIES: 004

On motion of Representative Fuhr, **SCS HCS HB 506, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cox	Crawford
Cross	Davis	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 14	Cookson	Curtman	Day	Denison
Ellinger	Fisher	Flanigan	Grisamore	Hughes
Loehner	McGeoghegan	Nasheed	Nolte	Richardson
Sater	Schad	Schieffer		

VACANCIES: 004

Representative Smith (150) declared the bill passed.

SCS HCS HB 344, relating to the Farm-to-Table Advisory Board, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **SCS HCS HB 344** was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Cierpiot	Conway 14	Day	Denison	Ellinger
Funderburk	Holsman	Hughes	Jones 89	Loehner
McGeoghegan	Nasheed	Nolte	Ruzicka	Sater
Schad	Schieffer			

VACANCIES: 004

On motion of Representative Guernsey, **SCS HCS HB 344** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Conway 14	Day	Denison	Diehl	Ellinger
Funderburk	Holsman	Hughes	Jones 63	Loehner
McGeoghegan	Nasheed	Nolte	Sater	Schad
Schieffer				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

SCS HCS HB 464, as amended, relating to boards, commissions, and committees, was taken up by Representative McNary.

On motion of Representative McNary, **SCS HCS HB 464, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 002

Pierson Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 016

Colona	Cox	Day	Denison	Ellinger
Fisher	Funderburk	Hughes	Jones 63	Loehner
McGeoghegan	Nasheed	Sater	Schad	Schieffer
Taylor				

VACANCIES: 004

Speaker Tilley resumed the Chair.

On motion of Representative McNary, **SCS HCS HB 464, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McGhee	McNeil	Molendorp	Montecillo
Nance	Neth	Nichols	Oxford	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Pierson	Smith 71
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PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Cox	Day	Denison	Ellinger
Elmer	Fisher	Frederick	Hughes	Jones 63
Kelly 24	Loehner	McDonald	McGeoghegan	McManus
McNary	Meadows	Nasheed	Newman	Nolte
Sater	Schad	Schieffer	Talboy	Taylor

VACANCIES: 004

Speaker Tilley declared the bill passed.

SS SCS HCS HB 265, as amended, relating to professional licenses, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SS SCS HCS HB 265, as amended**, was adopted by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 006

Entlicher	Franklin	Frederick	McNeil	White
Wyatt				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Cox	Day	Dieckhaus	Ellinger	Elmer
Funderburk	Holsman	Hughes	Jones 63	McGeoghegan
Nasheed	Parkinson	Richardson	Sater	Schatz
Schieffer				

VACANCIES: 004

On motion of Representative Smith (150), **SS SCS HCS HB 265, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Denison
Diehl	Dugger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	Wieland	Wright
Zerr	Mr Speaker			

NOES: 016

Anders	Asbury	Bahr	Conway 14	Davis
Entlicher	Franklin	Frederick	Guernsey	Kirkton
Klippenstein	Lasater	Marshall	McNeil	White
Wyatt				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Colona	Day	Dieckhaus	Ellinger	Fuhr
Funderburk	Holsman	Hughes	Jones 63	McGeoghegan
Nasheed	Nolte	Richardson	Sater	Schieffer

VACANCIES: 004

Speaker Tilley declared the bill passed.

SCS HCS HB 38, relating to notification of jail escapees, was taken up by Representative Pace.

On motion of Representative Pace, **SCS HCS HB 38** was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McDonald	McGhee
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieber	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Brandom	Brown 50	Brown 116	Cox	Day
Dieckhaus	Ellinger	Elmer	Fisher	Franklin
Funderburk	Holsman	Hughes	Jones 63	McCaherty
McGeoghegan	McManus	McNary	Nasheed	Sater
Schad	Schieffer	Schneider	Shumake	Talboy

VACANCIES: 004

On motion of Representative Pace, **SCS HCS HB 38** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Atkins	Brown 116	Curtman	Day	Ellinger
Frederick	Funderburk	Hughes	McGeoghegan	McNary
Nasheed	Nolte	Sater	Schieffer	Schneider

VACANCIES: 004

Speaker Tilley declared the bill passed.

BILL IN CONFERENCE

CCR HCS SB 173, as amended, relating to transportation and infrastructure, was taken up by Representative Cierpiot.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Cierpiot, **CCR HCS SB 173, as amended**, was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McNeil	Molendorp	Montecillo	Nance
Neth	Newman	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 001

Oxford

2575 *Journal of the House*

ABSENT WITH LEAVE: 018

Brown 116	Day	Ellinger	Fitzwater	Funderburk
Grisamore	Hughes	Jones 117	McGeoghegan	McManus
McNary	Meadows	Nasheed	Nichols	Redmon
Sater	Schieffer	Schneider		

VACANCIES: 004

On motion of Representative Cierpiot, **CCS HCS SB 173** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McNeil	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Brown 116	Day	Ellinger	Funderburk	Guernsey
Holsman	Hughes	Jones 117	McGeoghegan	McManus
McNary	Meadows	Nasheed	Sater	Schieffer

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 101, as amended**, and has taken up and passed **CCS SCS HB 101**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 552**, entitled:

An act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to the standard of care for the treatment of persons with bleeding disorders.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 552, Page 7, Section 208.152, Line 227, by striking the words "**In-home assessments conducted**" and inserting in lieu thereof the following:

"Assessments conducted in the participant's home".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House to grant further conference on **HCS for SS No. 2 for SCS for SB 8** and that the conferees be allowed to exceed the differences by removing all language relating to occupational disease.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS for SB 61, as amended**, and requests the House recede from its position on **HCS for SB 61, as amended**, and take up and pass **SB 61**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS SB 81, with HA 1, HA 2, as amended, HA 3**: Senators Pearce, Kehoe, Brown, Callahan and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 177, as amended**: Senators Brown, Schaaf, Schaefer, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 250, as amended**, and has taken up and passed **CCS#2 HCS SB 250**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 254, as amended**: Senators Stouffer, Kehoe, Engler, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 351, as amended**, and has taken up and passed **HCS SS SCS SB 351, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 356, as amended**: Senators Munzlinger, Parson, Brown, Callahan and Justus.

BILL IN CONFERENCE

CCR HCS SS#2 SCS SB 8, as amended, relating to workers' compensation, was taken up by Representative Fisher.

Representative Fisher moved that the House grant further conference on **HCS SS#2 SCS SB 8, as amended**, and the conferees be allowed to exceed the differences by removing all language relating to occupational diseases.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger

Loehner	Long	Marshall	McCaherty	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 116	Curtman	Day	Ellinger
Frederick	Funderburk	Grisamore	Holsman	Hughes
Jones 117	McGeoghegan	McGhee	McNary	Nasheed
Sater	Schieffer	Wells		

VACANCIES: 004

Representative Fisher again moved that the House grant further conference on **HCS SS#2 SCS SB 8, as amended**, and the conferees be allowed to exceed the differences by removing all language relating to occupational diseases.

Which motion was adopted.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS#2 SCS SB 8: Representatives Fisher, Nolte, Richardson, Meadows and McManus

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS HB 142, as amended**, and has taken up and passed **CCS SCS HB 142**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 412**, entitled:

An act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy, with an emergency clause for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 412, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"338.010. 1. The "practice of pharmacy" means the interpretation, implementation, and evaluation of medical prescription orders, including **any legend drugs under 21 U.S.C. Section 353**; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, **and veterinarians and their clients about legend drugs**, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his **or her** duties. This assistance in no way is intended to relieve the pharmacist from his **or her** responsibilities for compliance with this chapter and he **or she** will be responsible for the actions of the auxiliary personnel acting in his **or her** assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, **or** podiatry, or veterinary medicine **only for use in animals**, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, **administering, prescribing**, or dispensing of his **or her** own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order."; and

Further amend said bill, Page 4, Section 338.055, Line 115, by inserting immediately after said line the following:

"338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of [five] **six** members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, [and] one of whom shall be a representative of drug manufacturers, **and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine.** The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale drug distributors [and], drug manufacturers, **and veterinary legend drugs** which are proposed by the board.

5. A majority of the board shall constitute a quorum for the transaction of business.

6. Notwithstanding any other provisions of law to the contrary, the board may issue letters of reprimand, censure or warning to any holder of a license or registration required pursuant to this chapter for any violations that could result in disciplinary action as defined in section 338.055.

338.150. Any person authorized by the board of pharmacy is hereby given the right of entry and inspection upon all open premises purporting or appearing to be drug or chemical stores, apothecary shops, pharmacies or places of business for exposing for sale, or the dispensing or selling of drugs, pharmaceuticals, medicines, chemicals or poisons or for the compounding of physicians' **or veterinarians'** prescriptions.

338.210. 1. Pharmacy refers to any location where the practice of pharmacy occurs or such activities are offered or provided by a pharmacist or another acting under the supervision and authority of a pharmacist, including every premises or other place:

(1) Where the practice of pharmacy is offered or conducted;

(2) Where drugs, chemicals, medicines, **any legend drugs under 21 U.S.C. Section 353**, prescriptions, or poisons are compounded, prepared, dispensed or sold or offered for sale at retail;

(3) Where the words "pharmacist", "apothecary", "drugstore", "drugs", and any other symbols, words or phrases of similar meaning or understanding are used in any form to advertise retail products or services;

(4) Where patient records or other information is maintained for the purpose of engaging or offering to engage in the practice of pharmacy or to comply with any relevant laws regulating the acquisition, possession, handling, transfer, sale or destruction of drugs, chemicals, medicines, prescriptions or poisons.

2. All activity or conduct involving the practice of pharmacy as it relates to an identifiable prescription or drug order shall occur at the pharmacy location where such identifiable prescription or drug order is first presented by the patient or the patient's authorized agent for preparation or dispensing, unless otherwise expressly authorized by the board.

3. The requirements set forth in subsection 2 of this section shall not be construed to bar the complete transfer of an identifiable prescription or drug order pursuant to a verbal request by or the written consent of the patient or the patient's authorized agent.

4. The board is hereby authorized to enact rules waiving the requirements of subsection 2 of this section and establishing such terms and conditions as it deems necessary, whereby any activities related to the preparation, dispensing or recording of an identifiable prescription or drug order may be shared between separately licensed facilities.

5. If a violation of this chapter or other relevant law occurs in connection with or adjunct to the preparation or dispensing of a prescription or drug order, any permit holder or pharmacist-in-charge at any facility participating in the preparation, dispensing, or distribution of a prescription or drug order may be deemed liable for such violation.

6. Nothing in this section shall be construed to supersede the provisions of section 197.100.

338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

- (1) Class A: Community/ambulatory;
- (2) Class B: Hospital outpatient pharmacy;
- (3) Class C: Long-term care;
- (4) Class D: Nonsterile compounding;
- (5) Class E: Radio pharmaceutical;
- (6) Class F: Renal dialysis;
- (7) Class G: Medical gas;
- (8) Class H: Sterile product compounding;
- (9) Class I: Consultant services;
- (10) Class J: Shared service;
- (11) Class K: Internet;
- (12) Class L: Veterinary.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, **administering, prescribing, or dispensing of their own prescriptions, medicine, drug, or pharmaceutical product to be used for animals.**

5. [Notwithstanding any other law to the contrary] **Except for any legend drugs under 21 U.S.C. Section 353**, the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

338.240. 1. Upon evidence satisfactory to the said Missouri board of pharmacy:

(1) That the pharmacy for which a permit, or renewal thereof, is sought, will be conducted in full compliance with sections 338.210 to 338.300, with existing laws, and with the rules and regulations as established hereunder by said board;

(2) That the equipment and facilities of such pharmacy are such that it can be operated in a manner not to endanger the public health or safety;

(3) That such pharmacy is equipped with proper pharmaceutical and sanitary appliances and kept in a clean, sanitary and orderly manner;

(4) That the management of said pharmacy is under the supervision of either a registered pharmacist, or an owner or employee of the owner, who has at his **or her** place of business a registered pharmacist employed for the purpose of compounding physician's **or veterinarian's** prescriptions in the event any such prescriptions are compounded or sold;

(5) That said pharmacy is operated in compliance with the rules and regulations legally prescribed with respect thereto by the Missouri board of pharmacy, a permit or renewal thereof shall be issued to such persons as the said board of pharmacy shall deem qualified to conduct such pharmacy.

2. In lieu of a registered pharmacist as required by subdivision (4) of subsection 1 of this section, a pharmacy permit holder that only holds a class L veterinary permit and no other pharmacy permit, may designate a supervising registered pharmacist who shall be responsible for reviewing the activities and records of the class L pharmacy permit holder as established by the board by rule. The supervising registered pharmacist shall not be required to be physically present on site during the business operations of a class L pharmacy permit holder identified in subdivision (5) of subsection 1 of this section when noncontrolled legend drugs under 21 U.S.C. Section 353 are being dispensed for use in animals, but shall be specifically present on site when any noncontrolled drugs for use in animals are being compounded."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 412, Page 1, Section Title, Line 3, by striking the words "the authority of the board of"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said line the following:

"208.798. [1. The provisions of sections 208.550 to 208.568 shall terminate following notice to the revisor of statutes by the Missouri RX plan advisory commission that the Medicare Prescription Drug, Improvement and Modernization Act of 2003 has been fully implemented.

2. Pursuant to section 23.253 of the Missouri sunset act, the provisions of the new program authorized under sections 208.780 to 208.798 shall automatically sunset August 28, 2011, unless reauthorized by an act of the general assembly] **The provisions of sections 208.780 to 208.798 shall terminate on August 28, 2014.";** and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SS#2 SCS SB 8, as amended**: Senators Goodman, Crowell, Pearce, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SB 97, as amended**, and has taken up and passed **HCS#2 SB 97, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 132, as amended**, and has taken up and passed **HCS SS SCS SB 132, as amended**.

Emergency clause adopted.

COMMITTEE REPORT

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 3196**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 3196

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 13, 2011; and

WHEREAS, employees of the House of Representatives are designated and funded through appropriations, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW THEREFORE BE IT RESOLVED that the Missouri House of Representatives, Ninety-sixth General Assembly, may employ for the period between May 13, 2011, and January 4, 2012, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

RECESS

On motion of Representative Jones (89), the House stood in recess until such time as all conference committee reports are distributed and all conference committees are dissolved with taking no action, or 3:00 a.m., Friday, May 13th, 2011, whichever comes first, then stand adjourned until 10:00 a.m., Friday, May 13th, 2011.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 430**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, with Senate Amendment Nos. 1, 2, 3, 4, 7, 8, 9, 11, and 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 430;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Shane Schoeller
/s/ Charlie Denison
/s/ Jill Schupp
/s/ Tishaura Jones

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Jay Wasson
/s/ Ron Richard
/s/ Ryan McKenna
/s/ Jolie Justus

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 458**

The Conference Committee appointed on Senate Substitute for House Bill No. 458, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 458, as amended;

2. That the House recede from its position on House Bill No. 458;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 458, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Tom Loehner
/s/ Glen Klippenstein
/a/ Sue Entlicher
/s/ Joe Aull
/s/ Tom Shively

FOR THE SENATE:

/s/ Dan Brown
/s/ Brian Munzlinger
/s/ Kurt Schaefer
/s/ Victor Callahan
/s/ Jolie Justus

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 8**

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, as amended;
2. The Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Jason G. Crowell
/s/ David Pearce
/s/ Victor Callahan
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Barney Fisher
/s/ Jerry Nolte
/s/ Todd Richardson
/s/ Tim Meadows
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 48**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 48, with House Amendment Nos. 1, 2, 3, 4, 5, & 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 48, as amended;
2. The Senate recede from its position on Senate Bill No. 48;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 48 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robin Wright-Jones
/s/ Timothy Green
/s/ Brad Lager
/s/ Kurt U. Schaefer
/s/ Bob Dixon

FOR THE HOUSE:

/s/ Darrell Pollock
/s/ Jason Smith
/s/ Rodney Schad
/s/ Jacob Hummel
/s/ Steve Webb

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 70**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 70 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Ron Richard
/s/ Joseph Keaveny
/s/ Timothy Green

FOR THE HOUSE:

/s/ Ward Franz
/s/ Jay Houghton
/s/ Don Gosen
/s/ Jeanette Mott Oxford
/s/ Susan Carlson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 81**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 81, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 81;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 81 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Dan Brown
/s/ Victor Callahan
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Keith Frederick
/s/ Doug Funderburk
/s/ Rick Stream
/s/ Joe Aull

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 117**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, & 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 117;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler
/s/ Jason Crowell
/s/ Eric Schmitt
/s/ Jolie Justus
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Tom Flanigan
/s/ Shelley Keeney
/s/ Paul Fitzwater
/s/ Jacob Hummel
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 145**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 145, with House Amendment Nos. 1, 2 & 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment Nos. 5, 6, 7, 8, 9 & 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12, 13, 14, 15, 16, 17, 18 & 19, House Amendment No. 1 to House Amendment No. 20, House Amendment No. 20, as amended, House Amendment Nos. 21, 22 & 23, House Amendment No. 1 to House Amendment No. 24, House Amendment No. 24 as amended, House Amendment Nos. 25 & 26, House Amendment No. 1 to House Amendment No. 27, House Amendment No. 27, as amended, and House Amendment Nos. 28 and 29, begs leave to report that

we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 145, as amended;
2. The Senate recede from its position on Senate Bill No. 145;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 145 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Tom Dempsey
/s/ Dan Brown
/s/ Scott Rupp
/s/ Victor Callahan
/s/ Timothy Green

FOR THE HOUSE:

/s/ Chuck Gatschenberger
/s/ Vicki Schneider
/s/ John Diehl
/s/ Jacob Hummel
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 177**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, with House Amendment Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 12 and 13, House Substitute Amendment No. 1 for House Amendment No. 15, and House Amendment Nos. 16, 17, 18 and 19, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 177;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown
/s/ Rob Schaaf
/s/ Kurt Schaefer
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Keith Frederick
/s/ Sue Allen
/s/ Don Wells

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 254**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 254;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Kevin Engler
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Stanley Cox
/s/ Kevin Elmer
/s/ Jay Barnes
/s/ Mike Colona
/s/ Susan Carlson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 270**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 270;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Kevin Engler
/s/ Jane Cunningham

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Don Wells
/s/ Jason Smith
/s/ Pat Conway
/s/ Stacey Newman

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 284**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 284, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 284, as amended;
2. The Senate recede from its position on Senate Bill No. 284;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 284 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson
/s/ Mike Parson
/s/ Ron Richard
/s/ Victor Callahan
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ David Sater
/s/ Jason Smith
/s/ Ray Weter
/s/ Tishaura Jones
/s/ Terry Swinger

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 356**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, with House Amendments Nos. 1, 2, 3, & 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 356;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Mike Parson
/s/ Dan Brown
/s/ Victor Callahan
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Tom Loehner
/s/ Billy Pat Wright
/s/ Jason Holsman
/s/ Ben Harris

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, May 13, 2011.

COMMITTEE MEETING

FISCAL REVIEW

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

HOUSE CALENDAR

SEVENTY-SECOND DAY, FRIDAY, MAY 13, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

HOUSE BILLS FOR THIRD READING

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

SENATE BILLS FOR THIRD READING

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SB 243, E.C. - Dieckhaus
- 3 HCS SB 90 - Burlison
- 4 HCS SS#2 SCS SB 62 - Sater
- 5 HCS SCS SB 230, E.C. - Ruzicka
- 6 HCS#2 SCS SB 100 - Zerr

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 2 SCS HCS HB 250 - Cox
- 3 SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended - Riddle
- 4 SCS HCS HB 552, as amended - Molendorp
- 5 SCS HCS HB 412, as amended, E.C. - Smith (150)

BILLS CARRYING REQUEST MESSAGES

- 1 SS SB 238, HA 1, HA 2 (request House recede/take up and pass bill) - Hinson
- 2 HCS SB 61, as amended (request House recede/take up and pass bill) - Nasheed

BILLS IN CONFERENCE

- 1 CCR#2 HCS SS#2 SCS SB 8, as amended - Fisher
- 2 CCR HCS SB 282, as amended - Dugger
- 3 CCR HCS SS SB 135, as amended, E.C. - Jones (89)
- 4 CCR HCS SB 145, as amended - Gatschenberger
- 5 HCS SB 322, as amended - Kelly (24)
- 6 CCR HCS SS SB 226, as amended - Franz
- 7 HCS SCS SB 29, as amended - Jones (117)
- 8 CCR#2 HCS SB 250, as amended - Schad
- 9 CCR HCS SB 284, as amended, E.C. - Smith (150)
- 10 CCR HCS SCS SB 270, as amended - Dugger

- 11 SCS HB 737 - Redmon
- 12 SS SCS HCS HBs 116 & 316, as amended, E.C. - Flanigan
- 13 HCS SCS SB 60, as amended - Cox
- 14 CCR#2 HCS SCS SB 356, as amended, E.C. - Loehner
- 15 CCR HCS#2 SCS SB 117, as amended, E.C. - Flanigan
- 16 CCR SS SCS HCS HB 430, as amended - Burlison
- 17 CCR SS SCS SB 70, HA 1, HA2 - Franz
- 18 CCR SS HB 458, as amended - Loehner
- 19 CCR HCS SB 48, as amended, E.C. - Pollock
- 20 CCR SCS SB 81, HA 1, HA 2 as amended, HA 3, E.C. - Frederick
- 21 CCR HCS SCS SB 177, as amended - Frederick
- 22 CCR HCS SS SCS SB 254, as amended - Cox

VETOED HOUSE BILLS

SS SCS HB 209 - Guernsey

HOUSE RESOLUTIONS

HR 3196, (5-12-11) - McGhee

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SECOND DAY, FRIDAY, MAY 13, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let us come before His presence with thanksgiving. (Psalm 95:2)

Let Your presence be revealed to us, our Father, as in this quiet moment of prayer we wait upon You.

Strengthen us by Your spirit that no trouble may overcome us, no difficulty may overwhelm us, and no duty may overtax us, but may we now and always be equal to every experience, ready for every responsibility, and adequate for every activity. Help us to be more positive in our thinking, to look increasingly on the bright side of life, to be awake to the good everywhere present, and to be ever grateful for Your gifts to us and for the love which surrounds us all our lives.

On this last day of session, help us to live our faith, to rejoice in Your presence, to maintain an attitude of good will toward all Your children, to learn to forget ourselves, and serve our state and our people faithfully and well. Take Your rightful place in our hearts - for in You alone is peace and joy and life. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Margaux Harris.

The Journal of the seventy-first day was approved as corrected.

SPECIAL RECOGNITION

Holly Foster and Myra Roskopf Wolf were introduced by Representatives Largent and Kirkton and presented with a resolution.

Tad Mayfield was introduced by Representative Jones (89) and presented with a resolution.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3463 through House Resolution No. 3487

BILL IN CONFERENCE

SCS HB 737, relating to assessment and levy of property tax, was taken up by Representative Redmon.

Representative Redmon moved that the House conference committee on **SCS HB 737** be dissolved and the House take up and adopt **SCS HB 737**.

Which motion was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Diehl	Ellinger	Funderburk	Jones 63
McManus	Parkinson	Sater	Spreng	Swearingen
Walton Gray	Webb	Zerr	Mr Speaker	

VACANCIES: 004

On motion of Representative Redmon, **SCS HB 737** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Diehl	Ellinger	Funderburk	Gatschenberger
Nasheed	Nolte	Parkinson	Sater	Walton Gray
Zerr	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 250, relating to water well regulations, was taken up by Representative Cox.

Representative Cox moved that the House request the Senate to recede from its position on **SCS HCS HB 250** and take up and pass **HCS HB 250**.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SS SCS HCS HB 430, as amended, relating to transportation, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR SS SCS HCS HB 430, as amended**, was adopted by the following vote:

AYES: 143

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 003

Allen	Brown 85	Fuhr
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PRESENT: 001

Johnson

ABSENT WITH LEAVE: 012

Diehl	Ellinger	Fisher	Flanigan	Franz
Hughes	Nasheed	Redmon	Sater	Walton Gray
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Burlison, **CCS SS SCS HCS HB 430** was read the third time and passed by the following vote:

AYES: 145

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 003

Allen	Brown 85	Fuhr
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PRESENT: 001

Johnson

2601 *Journal of the House*

ABSENT WITH LEAVE: 010

Diehl	Ellinger	Fisher	Flanigan	Franklin
Redmon	Sater	Scharnhorst	Walton Gray	Zerr

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

CCR SS HB 458, as amended, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

On motion of Representative Loehner, **CCR SS HB 458, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Curtman	Dieckhaus	Diehl	Ellinger	Flanigan
Guernsey	Hughes	McGhee	Redmon	Sater
Walton Gray	Webber	Wright	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Loehner, **CCS SS HB 458** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Curtman	Dieckhaus	Diehl	Ellinger	Flanigan
Guernsey	Hughes	Lichtenegger	McGhee	Redmon
Sater	Walton Gray	Zerr	Mr Speaker	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

BILL CARRYING REQUEST MESSAGE

SS SB 238, with House Amendment No. 1 and House Amendment No. 2, relating to diseases incurred by firefighters, was taken up by Representative Hinson.

Representative Hinson moved that the House recede from its position on **House Amendment No. 1 and House Amendment No. 2** and truly agree to and finally pass **SS SB 238**.

Which motion was adopted by the following vote:

AYES: 146

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Dieckhaus	Diehl	Ellinger	Elmer
Flanigan	Funderburk	Hughes	Lasater	Nolte
Redmon	Sater	Walton Gray		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE RESOLUTION

HR 3196, relating to house employees, was taken up by Representative McGhee.

On motion of Representative McGhee, **HR 3196** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 697**, entitled:

An act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof eight new sections relating to the expiration of certain state programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 48, as amended**, and has taken up and passed **CCS HCS SB 48**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS SB 70, as amended**, and has taken up and passed **CCS SS SCS SB 70**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 77** and has taken up and passed **HCS SB 77**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 81, as amended**, and has taken up and passed **CCS SCS SB 81**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SCS SB 117, as amended**, and has taken up and passed **CCS HCS#2 SCS SB 117**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 213** and has taken up and passed **HCS SCS SB 213**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 356, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 356**.

Emergency clause adopted.

BILLS IN CONFERENCE

CCR HCS SB 282, as amended, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **CCR HCS SB 282, as amended**, was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 150	Solon	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Atkins	Carlson	Hughes	McGeoghegan	Oxford
Sifton	Smith 71	Spreng	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellinger	Flanigan	Funderburk	Hough	Kelly 24
Lasater	Richardson	Sater	Schneider	Wallingford
Walton Gray				

VACANCIES: 004

On motion of Representative Dugger, **CCS HCS SB 282** was truly agreed to and finally passed by the following vote:

AYES: 137

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 011

Anders	Atkins	Carlson	Hughes	McGeoghegan
Oxford	Pace	Pierson	Smith 71	Spreng
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellinger	Fisher	Flanigan	Franklin	Funderburk
Largent	Lasater	Sater	Schneider	Wallingford
Walton Gray				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

CCR HCS SS SB 135, as amended, relating to environmental protections, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **CCR HCS SS SB 135, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Kirkton	McNeil	Oxford	Spreng
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PRESENT: 000

ABSENT WITH LEAVE: 014

Burlison	Dieckhaus	Ellinger	Fisher	Flanigan
Funderburk	Kelly 24	Largent	Lasater	Long
Sater	Schneider	Walton Gray	Mr Speaker	

VACANCIES: 004

On motion of Representative Jones (89), **CCS HCS SS SB 135** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 007

Kirkton	McNeil	Newman	Oxford	Pierson
Spreng	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Ellinger	Fisher	Flanigan	Funderburk
Largent	Lasater	Sater	Walton Gray	Mr Speaker

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 009

Brown 50	Ellinger	Fisher	Flanigan	Funderburk
Lasater	Sater	Scharnhorst	Walton Gray	

VACANCIES: 004

CCR HCS SS SB 226, as amended, relating to emergency services, was taken up by Representative Franz.

On motion of Representative Franz, **CCR HCS SS SB 226, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schoeffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 002

Hughes	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 012

Dieckhaus	Diehl	Ellinger	Flanigan	Funderburk
Lasater	Sater	Scharnhorst	Schneider	Walton Gray
Webber	Zerr			

VACANCIES: 004

On motion of Representative Franz, **CCS HCS SS SB 226** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 014

Diehl	Ellinger	Fisher	Flanigan	Funderburk
Hughes	Lasater	Sater	Scharnhorst	Schneider
Walton Gray	Webber	Zerr	Mr Speaker	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

CCR#2 HCS SB 250, as amended, relating to sexual offenders, was taken up by Representative Schad.

On motion of Representative Schad, **CCR#2 HCS SB 250, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Ellinger	Flanigan	Frederick	Funderburk
Lampe	Lasater	McCaherty	Nasheed	Sater
Scharnhorst	Schneider	Walton Gray	Webber	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Schad, **CCS#2 HCS SB 250** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Conway 27	Ellinger	Flanigan	Funderburk
Hughes	Lasater	Sater	Silvey	Walton Gray

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

CCR#2 HCS SCS SB 356, as amended, relating to agriculture, was taken up by Representative Loehner.

Representative Smith (150) assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Elmer	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Wyatt

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 024

Brown 50	Dieckhaus	Diehl	Dugger	Ellinger
Entlicher	Fisher	Flanigan	Franklin	Funderburk
Grisamore	Jones 117	Lair	Lasater	Parkinson
Pollock	Sater	Scharnhorst	Spreng	Stream
Walton Gray	Wells	Zerr	Mr Speaker	

VACANCIES: 004

On motion of Representative Loehner, **CCR#2 HCS SCS SB 356, as amended**, was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Dieckhaus	Diehl	Ellinger	Flanigan
Funderburk	Grisamore	Lair	Lasater	Parkinson
Sater	Schad	Scharnhorst	Spreng	Walton Gray
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Loehner, **CCS#2 HCS SCS SB 356** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Dieckhaus	Diehl	Ellinger	Fitzwater
Flanigan	Funderburk	Lasater	Sater	Schad
Scharnhorst	Silvey	Walton Gray	Zerr	Mr Speaker

VACANCIES: 004

Representative Smith (150) declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Dieckhaus	Diehl	Ellinger	Funderburk	Hughes
Lasater	Molendorp	Redmon	Sater	Schad
Scharnhorst	Walton Gray	Webb	Zerr	Mr Speaker

VACANCIES: 004

CCR HCS SB 284, as amended, relating to pharmacy, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **CCR HCS SB 284, as amended**, was adopted by the following vote:

AYES: 134

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Allen	Brown 50	Day	Dieckhaus	Diehl
Ellinger	Flanigan	Franklin	Funderburk	Gatschenberger
Houghton	Hughes	Jones 117	Lasater	Newman
Nichols	Pierson	Redmon	Ruzicka	Sater
Scharnhorst	Walton Gray	Webb	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Smith (150), **CCS HCS SB 284** was truly agreed to and finally passed by the following vote:

AYES: 136

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Brown 50	Day	Denison	Dieckhaus
Diehl	Ellinger	Flanigan	Fraker	Franklin
Funderburk	Higdon	Hughes	Jones 117	Lasater
Nasheed	Redmon	Sater	Scharnhorst	Walton Gray
Webb	Zerr	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Brown 50	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Flanigan	Franklin
Funderburk	Holsman	Hughes	Jones 117	Lasater
Nolte	Redmon	Sater	Scharnhorst	Walton Gray
Webb	Zerr	Mr Speaker		

VACANCIES: 004

CCR HCS SB 48, as amended, relating to utilities, was taken up by Representative Pollock.

On motion of Representative Pollock, **CCR HCS SB 48, as amended**, was adopted by the following vote:

AYES: 133

Anders	Asbury	Atkins	Aull	Bahr
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Barnes	Bernskoetter	Berry	Brown 50
Cross	Diehl	Ellinger	Fisher	Flanigan
Franklin	Funderburk	Hodges	Hughes	Jones 117
Lant	Lasater	Long	Nolte	Redmon
Sater	Scharnhorst	Walton Gray	Webb	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Pollock, **CCS HCS SB 48** was truly agreed to and finally passed by the following vote:

AYES: 138

Anders	Asbury	Atkins	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Aull	Barnes	Carlson	Diehl
Ellinger	Flanigan	Franklin	Funderburk	Hughes
Lasater	Nolte	Pierson	Redmon	Sater
Scharnhorst	Swearingen	Walton Gray	Webb	Zerr
Mr Speaker				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 003

Fuhr	Marshall	Swearingen
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PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Barnes	Diehl	Ellinger	Flanigan
Funderburk	Hughes	Lasater	Nasheed	Nolte
Redmon	Sater	Scharnhorst	Walton Gray	Webb
Zerr	Mr Speaker			

VACANCIES: 004

CCR SS SCS SB 70, with House Amendment No. 1 and House Amendment No. 2, relating to the Missouri Family Trust, was taken up by Representative Franz.

On motion of Representative Franz, **CCR SS SCS SB 70, with House Amendment No. 1 and House Amendment No. 2,** was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Diehl	Ellinger	Flanigan	Funderburk	Hubbard
Hughes	Lasater	Nolte	Redmon	Reiboldt
Sater	Scharnhorst	Talboy	Walton Gray	Webb
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Franz, **CCS SS SCS SB 70** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Black	Davis	Diehl	Ellinger	Flanigan
Funderburk	Hughes	Jones 117	Kelly 24	Lasater
Nolte	Redmon	Sater	Walton Gray	Webb
Zerr	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 412, as amended, relating to wholesale drug distributors, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SCS HCS HB 412, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Ellinger	Elmer	Flanigan	Funderburk
Lasater	Nolte	Redmon	Sater	Schad
Walton Gray	Webb	Webber	Wyatt	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Smith (150), **SCS HCS HB 412, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Diehl	Ellinger	Flanigan	Funderburk
Jones 89	Lasater	McDonald	Nolte	Redmon
Sater	Schad	Schieffer	Walton Gray	Webb
Webber	Zerr	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Conway 14	Diehl	Ellinger	Flanigan
Funderburk	Lasater	Loehner	Nolte	Redmon
Rowland	Sater	Talboy	Walton Gray	Webb
Webber	Zerr	Mr Speaker		

VACANCIES: 004

SCS HCS HB 552, as amended, relating to bleeding disorder therapies, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **SCS HCS HB 552, as amended**, was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 002

Marshall	Taylor
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ABSENT WITH LEAVE: 015

Diehl	Ellinger	Funderburk	Grisamore	Hughes
Lasater	Leara	Nolte	Redmon	Richardson
Sater	Walton Gray	Webb	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Molendorp, **SCS HCS HB 552, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 016

Ellinger	Flanigan	Funderburk	Hubbard	Hughes
Koenig	Lasater	Nasheed	Nolte	Richardson
Ruzicka	Sater	Spreng	Taylor	Walton Gray
Webb				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 430, as amended**, and has taken up and passed **CCS SS SCS HCS HB 430**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SS#2 SCS SB 8, as amended**, and has taken up and passed **CCS#2 HCS SS#2 SCS SB 8**.

RECESS

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

BILL IN CONFERENCE

CCR HCS#2 SCS SB 117, as amended, relating to state and political subdivisions, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **CCR HCS#2 SCS SB 117, as amended**, was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream

Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 004

Carlson	Marshall	May	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 025

Black	Brown 116	Carter	Cross	Curtman
Ellinger	Elmer	Frederick	Funderburk	Grisamore
Guernsey	Hough	Hughes	Lasater	Loehner
McCaherty	Nasheed	Pollock	Sater	Scharnhorst
Schneider	Shumake	Walton Gray	Webb	Wright

VACANCIES: 004

On motion of Representative Flanigan, **CCS HCS#2 SCS SB 117** was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Davis	Day
Denison	Dieckhaus	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

2633 *Journal of the House*

NOES: 004

Carlson	Marshall	May	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 023

Black	Brown 116	Carter	Cross	Curtman
Diehl	Ellinger	Elmer	Funderburk	Grisamore
Guernsey	Hughes	Lasater	Loehner	McCaherty
Nasheed	Sater	Schneider	Shumake	Walton Gray
Webb	Wells	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Guernsey	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 006

Carlson	Marshall	May	Oxford	Smith 71
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Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 021

Black	Brown 116	Carter	Cross	Diehl
Ellinger	Elmer	Frederick	Funderburk	Grisamore
Haefner	Hughes	Lasater	McCaherty	Nasheed
Sater	Schneider	Walton Gray	Webb	Wells
Mr Speaker				

VACANCIES: 004

PERFECTION OF HOUSE BILLS

HB 741, relating to loans for energy efficiency, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HB 741** was ordered perfected and printed.

HB 200, relating to actions and damages against jails, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 200** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTIONS

HCR 48, relating to Pea Ridge Mine, was taken up by Representative Schatz.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt				

2635 *Journal of the House*

NOES: 046

Anders	Atkins	Aull	Brown 50	Carlson
Casey	Colona	Conway 27	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Taylor
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 022

Black	Brown 116	Carter	Conway 14	Denison
Diehl	Dugger	Ellinger	Fuhr	Funderburk
Grisamore	Hughes	Lasater	Neth	Sater
Spreng	Talboy	Walton Gray	Webb	Wells
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Schatz, **HCR 48** was adopted by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Weter	White
Wieland	Wright	Wyatt		

NOES: 007

Flanigan	Kirkton	May	Newman	Nichols
Oxford	Schupp			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 018

Black	Brown 116	Denison	Diehl	Dugger
Ellinger	Fuhr	Funderburk	Hughes	Lasater
Loehner	Sater	Spreng	Walton Gray	Webb
Wells	Zerr	Mr Speaker		

VACANCIES: 004

HCR 53, relating to fuel costs, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 53** was adopted.

BILL IN CONFERENCE

CCR SCS SB 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3, relating to fine arts education, was taken up by Representative Frederick.

On motion of Representative Frederick, **CCR SCS SB 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3** was adopted by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Brandom	Brown 50
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Crawford
Cross	Davis	Day	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber

2637 *Journal of the House*

Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Weter	White	Wieland
Wyatt	Mr Speaker			

NOES: 010

Brattin	Carter	Curtman	Funderburk	Gatschenberger
Hubbard	Jones 89	Koenig	Montecillo	Scharnhorst

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Black	Brown 116	Conway 14	Cox
Denison	Diehl	Ellinger	Fraker	Holsman
Hughes	Lasater	Leara	Marshall	Nasheed
Nolte	Sater	Walton Gray	Webb	Wells
Wright	Zerr			

VACANCIES: 004

On motion of Representative Frederick, **CCS SCS SB 81** was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Davis	Day	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 009

Bahr	Brattin	Curtman	Gatschenberger	Hubbard
Jones 89	Koenig	Montecillo	Scharnhorst	

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Black	Brown 116	Cox	Denison
Diehl	Ellinger	Funderburk	Hughes	Lasater
Leara	Sater	Walton Gray	Webb	Webber
Zerr				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Brandom	Brattin	Brown 50
Brown 85	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Crawford	Curtman	Davis	Day	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 010

Berry	Cookson	Gatschenberger	Gosen	Hubbard
Jones 89	Marshall	Parkinson	Scharnhorst	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Black	Brown 116	Cox	Cross
Denison	Diehl	Ellinger	Funderburk	Hughes
Lasater	Leara	McDonald	Sater	Swearingen
Walton Gray	Webb	Zerr	Mr Speaker	

VACANCIES: 004

THIRD READING OF SENATE BILL

HCS SS#2 SCS SB 62, relating to health care, was taken up by Representative Frederick.

Representative Stream offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Section 190.389, Page 1, Line 1, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 198.439, Page 2, Line 1, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 208.437, Page 3, Line 26, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 208.480, Page 3, Line 2, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 338.550, Page 3, Lines 9 and 16, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 633.401, Page 6, Line 94, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Section 338.550, Page 3, Line 16, by inserting after all of said section and line the following:

“376.1190. 1. Health carriers shall permit individuals to learn the amount of cost-sharing, including deductibles, copayments, and coinsurance, under the individual's health benefit plan or coverage that the individual would be responsible for paying with respect to the furnishing of a specific item or service by a participating provider in a timely manner upon the request of the individual. At a minimum, such information shall be made available to such individual through an internet website and such other means for individuals without access to the internet. As used in this section, the terms "health carrier" and "health benefit plans" shall have the same meanings assigned to them in section 376.1350.

2. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, hospitalization-surgical care policy, short-term major medical policy of six months or less duration, or any other supplemental policy.

3. Any health care benefit mandate proposed after August 28, 2011, shall be subject to review by the oversight division of the joint committee on legislative research. The oversight division shall perform an actuarial analysis of the cost impact to private and public payers of any new or revised mandated health care benefit proposed by the General Assembly after August 28, 2011 and a recommendation shall be delivered to the Speaker and the President Pro Tem prior to mandate being enacted.

4. The provisions of this section shall become effective on January 1, 2014.”; and

Further amend said bill, Section 633.401, Page 6, Line 94, by inserting after all of said section and line the following:

“Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Page 1, Section 376.1190, Line 22, by deleting the words "this section" on said line and adding in lieu thereof the words:

"subsections 1 & 2."

On motion of Representative Kelly (24), **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Silvey, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Frederick, **HCS SS#2 SCS SB 62, as amended**, was adopted.

On motion of Representative Frederick, **HCS SS#2 SCS SB 62, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges

Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Leach

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Black	Brown 116	Cox	Diehl
Ellinger	Fisher	Funderburk	Hughes	Lasater
Leara	Pollock	Sater	Walton Gray	Webb

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended, relating to firearms, was taken up by Representative Riddle.

Representative Parkinson moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner

Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 045

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Webber

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Black	Conway 27	Diehl	Ellinger
Hughes	Lasater	Nasheed	Reiboldt	Sater
Taylor	Walton Gray	Webb		

VACANCIES: 004

On motion of Representative Riddle, SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended, was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McGhee

2643 *Journal of the House*

McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Brown 50	Carlson	Carter	Colona
Hummel	Jones 63	Kirkton	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Black	Ellinger	Hughes	Lasater
Nasheed	Sater	Walton Gray	Webb	

VACANCIES: 004

On motion of Representative Riddle, **SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream

Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Carlson	Carter	Colona	Hummel
Jones 63	Kirkton	Kratky	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Black	Ellinger	Hughes	Lasater
Nasheed	Sater	Walton Gray	Webb	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 111**, entitled:

An act to repeal sections 144.032, 302.020, 302.321, 303.025, 311.325, 351.340, 452.340, 475.060, 475.061, 475.115, 477.650, 484.350, 523.040, 544.455, 544.470, 557.011, 566.086, 566.147, 568.040, 570.080, 578.150, and 589.040, RSMo, and to enact in lieu thereof fifty-three new sections relating to the judiciary, with penalty provisions, and an emergency clause for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 28, Section 452.340, Line 22 of said page, by striking the word "shall" and inserting in lieu thereof the word "**may**".

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 26, Section 452.340, Lines 24-25 of said page, by striking said lines and inserting in lieu thereof the following:

"comments for completion of the child support guidelines and a subsequent form developed".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SCS HCS HB 250** and has taken up and passed **HCS HB 250**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HB 458, as amended**, and has taken up and passed **CCS SS HB 458**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 555**, entitled:

An act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.101, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 332.021, 334.120, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-seven new sections relating to health care policies, with existing penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 555, Pages 24-25, Section 208.184, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS#2 SCS SB 62, as amended**, and has taken up and passed **HCS SS#2 SCS SB 62, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 3 to SCS SB 323**, and requests the House to recede from its position and take up and pass **SCS SB 323**.

BILL CARRYING REQUEST MESSAGE

SCS SB 323, with House Amendment No. 1 and House Amendment No. 3, relating to comparative audits of state agencies, was taken up by Representative Allen.

Representative Allen moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 3 to SCS SB 323** and request the Senate to concur in **House Amendment No. 1 and House Amendment No. 3** and take up and pass **SCS SB 323, as amended**.

Which motion was adopted.

Speaker Tilley assumed the Chair.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 100, relating to economic incentives and taxation, was taken up by Representative Zerr.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, Pages 1-2, Section 32.028, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**, payable to the state as provided by law.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2012, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail.”; and

Further amend said bill, Pages 10-12, Section 32.385, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.385. 1. **The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the state will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.**

2. **When used in this section, the following words, terms, and phrases are defined as set forth herein:**

(1) **"Federal official" means a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716;**

(2) **"State agency" means any department, division, board, commission, office, or other agency of the state of Missouri;**

(3) **"Nontax liability due the state" means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;**

(4) "Person" means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund" means an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "Vendor payment" means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension;

(7) "Offset agreement" is the agreement authorized by this section.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection offset as provided under the offset agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.”; and

Further amend said bill, Sections 32.420, 32.430, 32.440, 32.450, 32.460, Pages 12-14, by striking all of said sections from the bill and inserting in lieu thereof the following:

“32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general pursuant to section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor has no further administrative appeal of the amount of the debt. Methods and procedures for referral must follow internal guidelines prepared by the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure governs the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States regular mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. The department may establish policies and procedures to use the collection remedy afforded under section 143.902 in filing a lien with the county recorder of deeds and the filing of a certificate of lien with the circuit court. The department may also use collection remedies afforded under any chapter for collection of any state debt referred to the department. Debtors shall have all rights afforded under sections 32.410 to 32.470 to notice and to challenge the department's collection. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions pursuant to section 143.902 or 143.910 for a debt refereed by a state agency or to prosecute an action pursuant to subsection 10 of section 104.910.

2. Venue for any suit filed in aid of collection of a state debt referred to the department shall be in Cole County. If a judgment or a lien was filed with a circuit clerk prior to the date the debt was referred to the department, the venue shall be the county in which the judgment or lien was filed.

3. The department is authorized to employ department staff and attorneys, and at the department's discretion, the attorney general and prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt under the department's internal guidelines. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378.

32.460. 1. The department and the referring state agency shall follow all federal and state laws regarding the confidentiality of information and records regarding the debtor including the disclosure of the debtor's Social Security number, which state agencies, including the judiciary, are authorized to provide to the department in assistance of collection of the state debt referred. Each specific state agency's confidentiality laws shall apply to the employees of the state agency and to the department.

2. The department and the referring state agency are authorized to exchange such information as is necessary for the successful collection of the state debt referred in accordance with section 610.032. The judiciary is hereby authorized to exchange such information with the department as is necessary for the successful collection of the state debt referred.”; and

Further amend said bill, Pages 18-19, Sections 105.716, by deleting all of said section and inserting in lieu thereof the following:

“105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. Payments of no less than ten thousand dollars from the fund for property damage claims shall not require a no tax due statement from the department. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, any funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.”; and

Further amend said bill, Pages 40-41, Section 144.083, by striking all of said sections from the bill and inserting in lieu thereof the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections

143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill, Pages 46 through 49, Section 168.071, by deleting all of said section and inserting in lieu thereof the following:

“168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; [or]

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract; or

(6) **Beginning January 1, 2012, the government entity issuing a valid certificate of license to teach in Missouri under section 168.011 shall at least one time each year provide the name and Social Security number of each certificate holder or applicant for certificate of a license to teach in Missouri to the director of revenue. The director of revenue shall at least one time each year check the status of each certificate holder or applicant for certificate of a license to teach in Missouri against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. If such certificate holder or applicant for certificate of a license to teach in Missouri is delinquent on any state taxes, or has failed to file state income tax returns in the last three years, the director shall then send notice to the certificate holder or applicant for certificate of a license to teach in Missouri and the department of elementary and secondary education. In the case of such delinquency or failure to file, the certificate holder's license shall be suspended within ninety days after notice of such delinquency or failure to file, and the applicant for certificate's license shall not be issued unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have**

been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the government entity issuing the certificate of license to teach that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the certificate holder or applicant for certificate that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

- (1) Any dangerous felony as defined in section 556.061 or murder in the first degree;
- (2) Any of the following sexual offenses: rape; statutory rape in the first degree; statutory rape in the second degree; sexual assault; forcible sodomy; statutory sodomy in the first degree; statutory sodomy in the second degree; child molestation in the first degree; child molestation in the second degree; deviate sexual assault; sexual misconduct involving a child; sexual misconduct in the first degree; sexual abuse; enticement of a child; or attempting to entice a child;
- (3) Any of the following offenses against the family and related offenses: incest; abandonment of child in the first degree; abandonment of child in the second degree; endangering the welfare of a child in the first degree; abuse of a child; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children; and
- (4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree; promoting obscenity in the second degree when the penalty is enhanced to a class D felony; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography in the first degree; possession of child pornography in the second degree; furnishing child pornography to a minor; furnishing pornographic materials to minors; or coercing acceptance of obscene material.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.”; and

Further amend said bill, Pages 51 and 52, Section 215.020, by deleting all of said section and inserting in lieu thereof the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.

6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.

7. The operating budget of the commission shall be subject to annual appropriations.”; and

Further amend said bill by amending the title, enacting clause, and intersection references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, In the Title, Page 1, Lines 6, by deleting all of said line and inserting in lieu thereof the following:

“lieu thereof sixty-two new sections relating to the collection and distribution of state money,”; and

Further amend said bill, Section 32.115, Pages 6-9, Lines 1-118, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal

income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

6. Notwithstanding any provision of law to the contrary, no new projects shall be approved under the development tax credit program created pursuant to sections 32.100 to 32.125 after August 28, 2011. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to issue tax credits for any project approved prior to August 28, 2011, or the ability of any taxpayer to redeem any such tax credits.”; and

Further amend said bill, Section 32.460, Page 14, Line 7, by inserting the following after all of said line:

“67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Facility", a location composed of real estate, buildings, fixtures, machinery, and equipment;**
- (2) "Municipality", any county, city, incorporated town, or village of the state;**
- (3) "NAICS", the 2007 edition of the North American Industry Classification System developed under the direction and guidance of the federal Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**

(4) "Technology business facility", a facility purchased, constructed, extended, or improved under this section, provided that such business facility is engaged in:

- (a) Wired telecommunications carriers (NAICS 517110); or
- (b) Data processing, hosting, and related services (NAICS 518210); or
- (c) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility;
- (5) "Technology business facility project" or "project", the purchase, construction, extension, and improvement of technology business facilities, whether of the facility as a whole or of any one or more of the facility's components of real estate, buildings, fixtures, machinery, and equipment.

2. The governing body of any municipality may:

- (1) Carry out technology business facility projects for economic development under this section;
- (2) Accept grants from the federal and state governments for technology business facility project purposes, and may enter into such agreements as are not contrary to the laws of this state and which may be required as a condition of grants by the federal government or its agencies; and
- (3) Receive gifts and donations from private sources to be used for technology business facility project purposes.

3. The governing body of the municipality may enter into loan agreements, sell, lease, or mortgage to private persons, partnerships, or corporations any one or more of the components of a facility received, purchased, constructed, or extended by the municipality for development of a technology business facility project. The loan agreement, installment sale agreement, lease, or other such document shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with this section. When, in the judgment of the governing body of the municipality, the technology business facility project will result in economic benefits to the municipality, the governing body may lawfully enter into an agreement that includes nominal monetary consideration to the municipality in exchange for the use of one or more components of the facility.

4. Transactions involving the lease or rental of any components of a project under this section shall be specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745.

5. Leasehold interests granted and held under this section shall not be subject to property taxes.

6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

7. The county assessor shall include the current assessed value of all property within the affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's book and verified under section 137.245, and such value shall be used for the purpose of the debt limitation on local government under section 26(b), article VI, Constitution of Missouri.

8. The governing body of any municipality may sell or otherwise dispose of the property, buildings, or plants acquired under this section to private persons or corporations for technology business facility project purposes upon approval by the governing body. The terms and method of the sale or other disposal shall be established by the governing body so as to reasonably protect the economic well-being of the municipality and to promote the development of technology business facility projects. A private person or corporation that initially transfers property to the municipality for the purposes of a technology business facility project and does not charge a purchase price to the municipality shall retain the right, upon request to the municipality, to have the municipality retransfer the donated property to the person or corporation at no cost.

9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410.”; and

Further amend said bill, Section 67.3000, Pages 14 -18, by striking all of said section from the bill and inserting in lieu thereof the following:

“67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

- (1) "Active Member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;
- (2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;
- (3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;
- (4) "Department", the Missouri department of economic development;
- (5) "Director", the director of revenue;
- (6) "Eligible costs", shall include:
 - (a) Costs necessary for conducting the sporting event;
 - (b) Costs relating to the preparations necessary for the conduct of the sporting event; and
 - (c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

Eligible costs shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event, and direct payments to a for-profit site selection organization;

- (7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;
- (8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;
- (9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;
- (10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;
- (11) "Local organizing committee", a nonprofit corporation or its successor in interest that:
 - (a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection as the site of one or more sporting events; or
 - (b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;
- (12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;
- (13) "Sporting event" or "sporting events", an amateur sporting event that is competitively bid;
- (14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;
- (15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;
- (16) "Taxpayer", any of the following individuals or entities who make an eligible donation to a provider:
 - (a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;
 - (b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;
 - (c) An insurance company paying an annual tax on its gross premium receipts in this state;
 - (d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed in chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars for every admission ticket sold to such event. Tax credits authorized by this section may be claimed against taxes imposed by chapters 143 and 148 and shall be claimed within one year of the close of the taxable year for which the credits were issued. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under subsection 4 of this section exceed three million dollars in any fiscal year.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor will subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2011. Support contracts shall not be certified by the department after August 28, 2017, provided that the support contracts may be certified prior to August 28, 2017, for sporting events that will be held after such date.

9. The department may promulgate rules, statements of policy, procedures, forms, and guidelines as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2011, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the provider has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2011, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, Section 67.3005, Page 10, Line 12, by inserting after said line the following:

“99.1205. 1. This section shall be known and may be cited as the "Distressed Areas Land Assemblage Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Acquisition costs", the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of five years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for title insurance and survey, attorney's fees, relocation costs, fines, or bills from a municipality;

(2) "Applicant", any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section. The redevelopment agreement shall provide that:

a. The funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area;

b. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

c. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) "Certificate", a tax credit certificate issued under this section;

(4) "Condemnation proceedings", any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition

to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

- (5) "Department", the Missouri department of economic development;
- (6) "Economic incentive laws", any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;
- (7) "Eligible parcel", a parcel:
 - (a) Which is located within an eligible project area;
 - (b) Which is to be redeveloped;
 - (c) On which the applicant has not commenced construction prior to November 28, 2007;
 - (d) Which has been acquired without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired by the applicant from a municipal authority shall not constitute an eligible parcel; and
 - (e) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;
- (8) "Eligible project area", an area which shall have satisfied the following requirements:
 - (a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;
 - (b) At least eighty percent of the eligible project area shall be located within a Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42, or within a distressed community as that term is defined in section 135.530;
 - (c) The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels;
 - (d) The average number of parcels per acre in an eligible project area shall be four or more;
 - (e) Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;
- (9) "Interest costs", interest, loan fees, and closing costs. Interest costs shall not include attorney's fees;
- (10) "Maintenance costs", costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;
- (11) "Municipal authority", any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;
- (12) "Municipality", any city, town, village, or county;
- (13) "Parcel", a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;
- (14) "Redeveloped", the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and
- (15) "Redevelopment agreement", the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area. The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. Any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs, and one hundred percent of the interest costs incurred for a period of five years after the acquisition of an eligible parcel. No tax credits shall be issued under this section until after January 1, 2008.

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On an annual basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its Internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section shall not exceed [ninety-five] **ninety** million dollars. [At no time shall] **For all years ending on or before December 31, 2011, the annual amount of the tax credits issued under this section shall not exceed twenty million dollars. For all years beginning on or after January 1, 2012, the annual amount of the tax credits issued under this section shall not exceed fifteen million dollars.** If the tax credits that are to be issued under this section exceed, in any year, the [twenty million dollar] **applicable annual dollar** limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of [twenty million dollars,] **the applicable annual dollar limitation**, if there is only one applicant entitled to receive tax credits in that year; or

(2) Issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year. Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the [twenty million dollar] **the applicable annual dollar** limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years. No tax credits provided under this section shall be authorized after August 28, 2013. Any tax credits which have been authorized on or before August 28, 2013, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include the tax credits in any sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill, Section 105.716, Page 19, Line 40, by inserting the following after all of said line:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) ["Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4)] "Homestead", the dwelling in Missouri owned [or rented] by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(5)] (4) "Income", Missouri adjusted gross income as defined in section 143.121 less two thousand dollars, or in the case of a homestead owned and occupied, for the entire year, by the claimant, less four thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

[(6)] (5) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part[;]

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year[.]; and

Further amend said bill, Sections 135.025, 135.030, 135.352, 135.484, 135.630, and 135.647, Pages 19-26, by striking all of said sections from the bill and inserting in lieu thereof the following:

"135.025. 1. The property taxes accrued [and rent constituting property taxes accrued] on each return shall be totaled. This total, up to [seven hundred fifty dollars in rent constituting property taxes actually paid or] eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant's homestead is rented to another or used for nondwelling purposes or where a homestead is owned [or rented] or used as a dwelling for part of a year.

2. (1) **The director of the department of revenue shall calculate the amount of property tax credit that was attributable to renters in fiscal year 2011. Beginning with the budget request for fiscal year 2013, the director shall annually request that amount be transferred from the general revenue fund to the Missouri senior services protection fund. The money in such fund shall be appropriated for the Missouri Rx plan under section 208.782, services for seniors through the area agencies on aging, and other programs for low-income seniors.**

(2) **There is hereby created in the state treasury the "Missouri Senior Services Protection Fund", which shall consist of all gifts, donations, transfers, moneys appropriated to the fund by the general assembly, and bequests to the fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the purposes provided in this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars;

(2) The term "minimum base" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	0 percent with credit not to exceed \$1,100 in actual property tax [or rent equivalent] paid [up to \$750]
Over the minimum base but not over the maximum upper limit	1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant's potential eligibility, where the department determines such potential eligibility exists.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall[, subject to the limitations provided under the provisions of subsection 3 of this section,] be allowed a state tax credit, [whether or not allowed a federal tax credit,] to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects [placed in service after January 1, 1997, the] **authorized on or after July 1, 2011, one hundred million dollars in** Missouri low-income housing tax [credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the] **credits shall be awarded during each fiscal year to projects which are awarded** federal low-income housing tax [credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period] **credits by the commission and such Missouri low-income housing tax credits shall be claimed over a period of time which shall correspond to the time during which the federal low-income housing tax credits awarded for such qualified Missouri projects are claimed. Tax credits authorized after July 1, 2011, for projects financed through tax-exempt bond issuance shall not be subject to the limitations provided under this section. Provisions of the subsection to the contrary, in no evident shall more than one hundred million dollars be awarded in tax credits under this subsection."**; and

3. **For fiscal year 2011, no more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. Beginning July 1, 2012, until June 30, 2017 no more than twenty million dollars in low-income housing tax credits shall be awarded during each fiscal year for projects financed through tax-exempt bond issuance and such Missouri low-income housing tax credits shall be claimed over a period of time which shall correspond to the time during which the federal low-income housing tax credits awarded for such qualified Missouri projects are claimed.**

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2011, any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's two previous taxable years or carried forward to any of the taxpayer's five subsequent taxable years.**

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of

the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2021. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2021, or a taxpayer's ability to redeem such tax credits.

135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects in areas described in subdivision (6) of section 135.478 and eight million dollars for projects in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

4. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 135.475 to 135.487 shall be authorized on or after August 28, 2011. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2011, or a taxpayer's ability to redeem such tax credits.

135.487. 1. To obtain any credit allowed pursuant to sections 135.475 to 135.487, a taxpayer shall submit to the department, for preliminary approval, an application for tax credit. The director shall, upon final approval of an application and presentation of acceptable proof of substantial completion of construction, issue the taxpayer a certificate of tax credit. The director shall issue all credits allowed pursuant to sections 135.475 to 135.487 in the order the applications are received. In the case of a taxpayer other than an owner-occupant, the director shall not delay the issuance of a tax credit pursuant to sections 135.475 to 135.487 until the sale of a residence at market rate for owner-occupancy. A taxpayer[, taxpayer] other than an owner-occupant who receives a certificate of tax credit pursuant to sections 135.475 to 135.487 shall, within thirty days of the date of the sale of a residence, furnish to the director satisfactory proof that such residence was sold at market rate for owner-occupancy. If the director reasonably determines that a residence was not in good faith intended for long-term owner occupancy, the director make revoke any tax credits issued and seek recovery of any tax credits issued pursuant to section 620.017.

2. The department may cooperate with a municipality or a county in which a project is located to help identify the location of the project, the type and eligibility of the project, the estimated cost of the project and the completion date of the project.

3. The department may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer the provisions of sections 135.475 to 135.487. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. The department shall conduct annually a comprehensive program evaluation illustrating where the tax credits allowed pursuant to sections 135.475 to 135.487 are being utilized, explaining the economic impact of such program and making recommendations on appropriate program modifications to ensure the program's success.

5. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2011. The provisions of this subsection shall not be construed to limit or in

any way impair the department's ability to issue tax credits authorized prior to August 28, 2011, or a taxpayer's ability to redeem such tax credits.

135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) "Director", the director of the department of social services;
- (3) "Pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some

percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, The program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset] **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2016. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2016, or a taxpayer's ability to redeem such tax credits.**

135.647. 1. As used in this section, the following terms shall mean:

- (1) "Local food pantry", any food pantry that is:
 - (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
 - (b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;
- (2) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2007, any taxpayer who donates cash or food, unless such food is donated after the food's expiration date, to any local food pantry shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed, and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry in any one fiscal year shall not exceed two million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. [Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, The program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2016. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2016, or a taxpayer's ability to redeem such tax credits.**"; and

Further amend said bill, Sections 135.1500, 135.1503, 135.1505, 135.1507, 135.1509, 135.1511, 135.1513, 135.1515, 135.1517, 135.1519, and 135.1521, Pages 30-37, by striking all of said sections from the bill and inserting in lieu thereof the following:

"135.1500. 1. Sections 135.1500 to 135.1519, shall be known and may be cited as the "Aerotropolis Trade Incentive and Tax Credit Act".

2. As used in sections 135.1500 to 135.1519, unless the context clearly requires otherwise, the following terms shall mean:

(1) **"Air export tax credit", the tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;**

(2) **"Airport", an airport which is owned and operated by a city not within a county;**

(3) **"Cargo activity", all of the inbound cargo activity and outbound cargo activity into and from an eligible facility;**

(4) **"Certificate of compliance", a certificate submitted with any application for a tax credit or tax incentive specified in section 135.1513, that shall certify that all requisite requirements for the issuance of such tax credits and tax incentives have been satisfied for such eligible facility and shall provide evidence of such satisfaction;**

(5) **"Certificate of occupancy", the certificate or permit issued by a municipality that permits the commercial use or occupancy of a building or structure;**

(6) **"Chargeable kilo", the shipment of a kilo of freight, as measured by the greater of:**

(a) **Actual weight; or**

(b) **A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight or a qualifying inbound flight;**

(7) **"Claiming freight forwarder", the freight forwarder designated as the "agent" on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;**

(8) **"Department", the Missouri department of economic development;**

(9) **"Direct all cargo aircraft flight", a flight that flies directly to its destination without stopping, except to receive fuel and maintenance;**

(10) **"Economic incentive laws", any provision of Missouri law under which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land;**

(11) **"Eligible costs", the following costs associated with the development and construction of an eligible facility:**

(a) **Costs and expenses of construction of the eligible facility, including fixtures and equipment; and**

(b) **Demolition costs of vacant structures.**

Eligible costs shall not include costs of site improvements or costs of environmental remediation;

(12) "Eligible facility", a qualifying gateway facility, qualifying cold-chain facility, or qualifying assembly and manufacturing facility;

(13) "Eligibility period", the time period, not to exceed seven fiscal years, during which an owner of an eligible facility may receive benefits under section 135.1513. Such time period shall begin to run twelve months after the date on which the certificate of occupancy is issued for each eligible facility, and shall continue for the next subsequent seven fiscal years;

(14) "Fiscal year", the twelve consecutive month time period beginning on the date, which is twelve months after the date on which the certificate of occupancy is issued for an eligible facility, and ending on the last day of the twelfth month thereafter, with each subsequent fiscal year beginning on the anniversary of the date, which is twelve months after the date of the issuance of such certificate of occupancy, and ending on the last day of the twelfth month thereafter;

(15) "Freight forwarder", a person that assumes responsibility in the ordinary course of its business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(16) "Full-time employee", an employee who is located at an eligible facility and is scheduled to work an average of at least thirty-five hours per week for a twelve-month period;

(17) "Gateway zone", an area within this state designated under the provisions of sections 135.1500 to 135.1519, which shall be within:

(a) A site of at least one hundred contiguous acres located within fifty miles of an airport; provided, however, such one hundred acres need not be contiguous if the acreage is located within a larger designated urban renewal area or redevelopment area under economic incentive laws;

(b) An area within the boundaries of an airport; or

(c) Any area owned or managed by the port authority of a county or a city not within a county;

(18) "Inbound cargo activity", the receipt of materials, components, goods, and products at an eligible facility from another destination through any mode of multimodal commerce. The term "inbound cargo activity" shall not include road transportation from the airport to the eligible facility;

(19) "Level one air cargo activity", where:

(a) At least twenty percent of the total outbound cargo activity of an eligible facility consists of chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; or

(b) At least twenty percent of the total inbound cargo activity of an eligible facility consists of chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility; or

(c) At least twenty percent of the total cargo activity of an eligible facility consists of:

a. Chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; and

b. Chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility;

(20) "Level two air cargo activity", where:

(a) At least ten percent of the total outbound cargo activity of an eligible facility consists of chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; or

(b) At least ten percent of the total inbound cargo activity of an eligible facility consists of chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility; or

(c) At least ten percent of the total cargo activity of an eligible facility consists of:

a. Chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; and

b. Chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility;

(21) "Multimodal commerce", modes of commerce for the shipment of materials, components, goods, or products, including road transportation, railroad transportation, water transportation, or aircraft transportation;

(22) "Municipality", any city, town, village, or county;

(23) "New building", a new structure or building for which a certificate of occupancy was issued on or after July 1, 2011 for commercial activity, including fixtures and equipment;

(24) "New job", a person who was not employed at the eligible facility as a full-time employee on or prior to the date of the issuance of the certificate of occupancy for the eligible facility. No job that was created prior to the date of the issuance of the certificate of occupancy for the eligible facility shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the eligible facility is still considered to be located at an eligible facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, and one hundred percent of the employee's income from such employment is Missouri income;

(25) "Outbound cargo activity", the shipment of materials, components, goods, and products from an eligible facility to another destination through any mode of multimodal commerce. The term "outbound cargo activity" shall not include road transportation to the airport from the eligible facility;

(26) "Perishable freight", agricultural products, including seeds, garden products, live animals, and processed meat products such as pork and beef;

(27) "Qualifying applicant", an owner of, or tenant in, an eligible facility;

(28) "Qualifying assembly and manufacturing facility", a new building located within a gateway zone that is equipped for manufacturing or assembly and in which the receipt of production materials or components or the shipment of finished goods or products, or both, involves at least two modes of multimodal commerce;

(29) "Qualifying cargo activity", meeting or exceeding the requirements for level one air cargo activity or level two air cargo activity;

(30) "Qualifying cold-chain facility", a new building located within a gateway zone which has within it equipment for maintaining necessary temperatures for the processing, packaging, or distribution of temperature-sensitive products, provided that at least eighty percent of the usable square footage of such facility is refrigerated;

(31) "Qualifying gateway facility", a new building located within a gateway zone in which qualifying cargo activity occurs, provided that no more than twenty percent of the usable space within the qualifying gateway facility is devoted to office or retail use;

(32) "Qualifying inbound flight", an all cargo aircraft flight originating from an international destination to the airport;

(33) "Qualifying outbound flight", a direct all cargo aircraft flight from the airport to an international destination; and

(34) "Tenant in an eligible facility", a tenant or subtenant who is operating within an eligible facility and is a tenant or subtenant of the owners of an eligible facility, or a licensee who is operating within an eligible facility and is a licensee of such owner, tenant, or subtenant.

135.1503. 1. Any executive officer of a county or the mayor of any city not within a county desiring to designate a gateway zone shall cause the governing body of such county or city not within a county to hold a public hearing for the purpose of obtaining the opinion and suggestions of those persons who will be affected by such designation. The county or the city not within a county shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by such designation at least twenty days prior to the date of the hearing but not more than thirty days prior to such hearing. Such notice shall state the time, location, date, and purpose of the hearing.

2. Following conclusion of the public hearing required by this section, the executive officer of any county or the mayor of any city not within a county shall notify the department in writing of the designation of the gateway zone. Such notification shall include evidence that the requisite public hearing has been conducted, a legal description of the area of the gateway zone, the street location, if available, the acreage of the gateway zone, a survey of the gateway zone, a plan for the utilization and marketing of the gateway zone, and confirmation that zoning has been obtained for the gateway zone or any portion thereof which zoning is consistent with the uses of property as contemplated under sections 135.1500 to 135.1519.

3. The department shall have a period of sixty calendar days to verify that such gateway zone satisfies the requirements under section 135.1500. If the department does not notify the executive officer of the county, or the mayor of any city not within a county, designating the gateway zone, of its verification that the requirements are satisfied, or the department does not notify such executive officer or such mayor of its denial and provide a detailed description of the reason for the denial of such verification within such sixty day time period, then the requirements under section 135.1500 shall be deemed to have been satisfied.

4. If the department provides such executive officer or mayor with a detailed description of a reason for its denial within such sixty day time period, such executive officer or mayor may submit a revised notification. Any such revised notification shall be subject to the provisions of subsection 3 of this section.

135.1505. 1. There shall be an annual special assessment levied on any eligible facility, which receives benefits under sections 135.1500 to 135.1519, at the rate of twenty cents per rentable square foot of such facility; provided however, any special assessments levied on such eligible facilities located within the boundaries of the airport shall be remitted to the airport. The county collector of revenue of the county in which a gateway zone is located, or the collector of revenue for the city in which a gateway zone is located if the gateway zone is located in a city not within a county, shall annually levy the special assessments in the same manner as real property taxes are collected.

2. On or before the first day of February of each year and after deducting the reasonable and actual cost of such collection not to exceed one percent of the total amount collected, the county or city collector of revenue, who has collected the special assessments, shall remit to the entities identified in subsection 3 of this section the percentages of special assessments set forth in such subsection. Such county or city collector of revenue shall collect the special assessments prior to the fifteenth day of January of each year. Upon receipt of such money, the entities, identified in subsection 3 of this section, shall execute a receipt therefor, which the entities shall forward or deliver to the county or city collector of revenue.

3. After the payment of any fees related to the collection of the special assessments and the remittance of any special assessments identified for remittance under subsection 1 of this section to the airport, the remaining revenues collected from the special assessments shall be utilized as follows:

(a) Fifty percent of such revenues shall be annually transferred to the airport. The proceeds of the net special assessments shall be placed in a special fund for marketing and promotion of the airport and shall not be comingled with any other funds of the airport;

(b) The remaining fifty percent of such revenues shall be annually transferred to a tax exempt regional or county economic development association or associations, selected by the executive officer of any county, or the mayor of a city not within a county, which contains a gateway zone for the marketing and promotion of the gateway zone. Such county or city shall enter into an agreement or agreements with such tax exempt economic development association or associations for the marketing and promotion of the gateway zone and shall review and approve the annual budget of such association or associations for such marketing and promotion. Such tax exempt regional or county economic development association or associations shall not comingle any of such revenues with any other funds of the association or associations.

4. The airport and such tax exempt regional or county economic development association or associations shall be subject to periodic audits by the state auditor to be paid in accordance with section 29.230. The airport shall report, and such executive officer or mayor shall cause the tax exempt regional or county economic development association performing such marketing and promotion to report, to the department the status of the gateway zone and the use of revenues generated through the levying of special assessments under this section.

135.1507. 1. For all taxable years beginning on or after January 1, 2011, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to thirty cents per chargeable kilo.

2. For all taxable years beginning on or after January 1, 2011, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of perishable freight on a qualifying outbound flight in an amount equal to thirty-five cents per chargeable kilo.

3. No claiming freight forwarder shall receive air export tax credits under both subsections 1 and 2 of this section for a single shipment on a qualifying outbound flight.

4. The department shall index the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1509. 1. To receive benefits provided under section 135.1507, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date that the shipment for which air export tax credits are being sought was transported on the qualifying outbound flight. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. All master airway bills shall specify an origin located within the United States of America for the shipments to qualify for air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within ten business days of the date of the filing of the application for air export tax credits relating to the qualifying outbound flight. No application shall be approved for any continuing direct all cargo aircraft flights from the airport to an international destination conducted by a carrier, which conducted such flights on a scheduled basis

prior to May 1, 2011, and which continuing flights after May 1, 2011, would otherwise have constituted qualifying outbound flights.

2. If the annual cap on the issuance of air export tax credits provided under section 135.1511, is met in a given year, then the amount of such tax credits which have been authorized, but remain unissued, shall be carried forward and issued in the subsequent year.

3. No tax credits provided under this section shall be authorized after August 28, 2019. Any tax credits authorized on or before August 28, 2019, but not issued prior to such date may be issued until all such authorized tax credits have been issued.

135.1511. The total aggregate amount for air export tax credits authorized under section 135.1507 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1507 shall not exceed:

(1) Three million six hundred thousand dollars for the taxable year beginning on or after January 1, 2011, but ending on or before December 31, 2011;

(2) Four million eight hundred thousand dollars for the taxable year beginning on or after January 1, 2012, but ending on or before December 31, 2012; and

(3) The greater of one million two hundred thousand dollars per weekly qualifying outbound flight or three million six hundred thousand dollars for all taxable years beginning on or after January 1, 2013.

The department shall annually determine the number of weekly qualifying outbound flights, which shall be the average number of such flights per week during the month of September of the previous year.

135.1513. 1. For all taxable years beginning on or after January 1, 2013, qualifying applicants shall be entitled to the following benefits:

(1) The owner of any eligible facility with level one air cargo activity shall be entitled, during the eligibility period, to receive tax credits against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, equal to six percent of the eligible costs for such facility for each year that such facility meets or exceeds level one air cargo activity volumes, provided that the owner can demonstrate that at least ten new jobs are projected to be created at the facility by no later than the end of the eligibility period. The total amount of tax credits issued for any such facility shall not exceed thirty percent of such facility's eligible costs. No tax credits provided under this subdivision shall be issued prior to January 1, 2013;

(2) The owner of any qualifying gateway facility with level two air cargo activity, a qualifying assembly and manufacturing facility, or a qualifying cold-chain facility shall be entitled, during the eligibility period, to receive tax credits against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, equal to four percent of the eligible costs for such facility for each year that such facility satisfies the requirements of sections 135.1500 to 135.1519, provided that the owner can demonstrate that at least ten new jobs are projected to be created at the facility by no later than the end of the eligibility period. The total amount of tax credits issued for such facility shall not exceed twenty percent of such facility's eligible costs. No tax credits provided under this subdivision shall be issued prior to January 1, 2013; and

(3) Any tenant of an eligible facility and any individuals employed by such tenants shall be exempt from the earnings tax imposed by a city not within a county pursuant to sections 92.110 to 92.200 for each fiscal year during the eligibility period if such facility satisfies the requirements of sections 135.1500 to 135.1519.

2. If an eligible facility receives a certificate of occupancy prior to the sunset of the program, the owners of an eligible facility may apply for benefits provided under this section for the term of the eligibility period notwithstanding the sunset of the program prior to the end of the term of the eligibility period for such facility.

135.1515. 1. In order for an owner of an eligible facility to receive benefits provided under section 135.1513 for any fiscal year during the eligibility period, the eligible facility shall satisfy all applicable requirements provided under sections 135.1500 to 135.1519 for each such fiscal year by December thirty-first of the calendar year in which an application is filed under subsection 2 of this section.

2. Owners of an eligible facility seeking benefits provided under section 135.1513 shall file applications for such benefits, accompanied by a certificate of compliance, on or before December thirty-first of each year. If such facility, relating to which such owners are applying for such tax credits satisfies the applicable requirements provided under sections 135.1500 to 135.1519, the department shall grant such benefits on or before July fifteenth of the next calendar year following such time period.

3. If the annual cap for any of such tax credits provided under section 135.1517 is met in a year, then the amount of such tax credits authorized, but unissued, shall be carried forward and issued in the subsequent year.

4. No tax credits provided under this section shall be authorized after August 28, 2020. Any tax credits authorized on or before August 28, 2020, but not issued prior to such date may be issued until all such authorized tax credits have been issued.

5. No owner of an eligible facility shall be entitled to receive benefits provided under section 135.1513 unless a certificate of occupancy has been issued for the eligible facility prior to August 28, 2020. An owner of an eligible facility for which a certificate of occupancy has been issued prior to August 28, 2020, may be granted benefits under this section.

135.1517. The total aggregate amount for all of the tax credits authorized under subdivisions (1) and (2) of subsection 1 of section 135.1513 shall not exceed three hundred million dollars. The annual amount of the tax credits issued under subdivisions (1) and (2) of subsection 1 of section 135.1513 shall not exceed:

(1) Two million dollars for the taxable year beginning on or after January 1, 2013, and ending on or before December 31, 2013;

(2) Fifteen million dollars for the taxable year beginning on or after January 1, 2014, and ending on or before December 31, 2014;

(3) Sixteen million dollars for the taxable year beginning on or after January 1, 2015, and ending on or before December 31, 2015;

(4) Twenty million dollars for all taxable years beginning on or after January 1, 2016, but ending on or before December 31, 2019;

(5) Thirty million dollars for all taxable years beginning on or after January 1, 2020, but ending on or before December 31, 2025; and

(6) Seven million dollars for the taxable year beginning on or after January 1, 2026, and ending on or before December 31, 2026.

135.1519. If the amount of any tax credit authorized under sections 135.1500 to 135.1519 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1500 to 135.1519 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or under an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1521. 1. The department may promulgate rules to implement the provisions of sections 135.1500 to 135.1519. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and to annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

2. The provisions of the new programs authorized under sections 135.1500 to 135.1519 shall automatically sunset eight years after August 28, 2011, unless reauthorized by an act of the general assembly. If such program is reauthorized, the program authorized under this section shall automatically sunset six years after the effective date of the reauthorization of this section. This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1500 to 135.1519 sunset.”; and

Further amend said bill, Section 144.810, Pages 41-46, by striking all of said section from the bill and inserting in lieu thereof the following:

“144.810. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Commencement of commercial operations", shall be deemed to occur during the first calendar year for which the data storage center is first available for use by the operating taxpayer, or first capable of being used by the operating taxpayer, as a data storage center;

(2) "Constructing taxpayer", where more than one taxpayer is responsible for a project, a taxpayer responsible for the construction of the facility, as opposed to a taxpayer responsible for the equipping and ongoing operations of the facility;

(3) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(4) "Data storage center" or "facility", a facility constructed, extended, improved, or operating under this section, provided that such business facility is engaged primarily in:

(a) Data processing, hosting, and related services (NAICS 518210); or

(b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility;

(5) "Existing facility", a data storage center in this state as it existed prior to August 28, 2011, as determined by the department;

(6) "Expanding facility" or "expanding data storage center", an existing facility or replacement facility that expands its operations in this state on or after August 28, 2011, and has net new investment related to the expansion of operations in this state of at least five million dollars during a period of up to twelve consecutive months and results in the creation of at least five new jobs during a period of up to twenty-four consecutive months from the date of conditional approval for an exemption under this section, if the average wage of the new jobs equals or exceeds one hundred and fifty percent of the county average wage. An expanding facility shall continue to be an expanding facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(7) "Expanding facility project" or "expanding data storage center project", the construction, extension, improvement, equipping, and operation of an expanding facility;

(8) "Investment" shall include the value of real and depreciable personal property, acquired as part of the new or expanding facility project which is used in the operation of the facility following conditional approval of an exemption under this section;

(9) "NAICS", the 2007 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;

(10) "New facility" or "new data storage center", a facility in this state meeting the following requirements:

(a) The facility is acquired by, or leased to, an operating taxpayer on or after August 28, 2011. A facility shall be deemed to have been acquired by, or leased to, an operating taxpayer on or after August 28, 2011, if the transfer of title to an operating taxpayer, the transfer of possession under a binding contract to transfer title to an operating taxpayer, or the commencement of the term of the lease to an operating taxpayer occurs on or after August 28, 2011, or, if the facility is constructed, erected, or installed by or on behalf of an operating taxpayer, such construction, erection, or installation is commenced on or after August 28, 2011;

(b) If such facility was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2011, and such facility was employed prior to August 28, 2011, by any other person or persons in the operation of a data storage center the facility shall not be considered a new facility;

(c) Such facility is not an expanding or replacement facility, as defined in this section;

(d) The new facility project investment is at least thirty-seven million dollars during a period of up to thirty-six consecutive months from the date of the conditional approval for an exemption under this section. Where more than one taxpayer is responsible for a project, the investment requirement may be met by an operating taxpayer, a constructing taxpayer, or a combination of constructing taxpayers and operating taxpayers;

(e) At least thirty new jobs are created at the new facility during a period of up to thirty six consecutive months from the date of conditional approval for an exemption under this section if the average wage of the new jobs equals or exceeds one hundred fifty percent of the county average wage; and

(f) A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(11) "New data storage center project" or "new facility project", the construction, extension, improvement, equipping, and operation of a new facility;

(12) "New job" in the case of a new data center project, the total number of full-time employees located at a new data storage center for a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section. In the case of an expanding data storage center project, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date of the submission of a project plan under this section or for the twelve-month period prior to the date of the submission of a project plan, the average number of full-time employees located at the expanding data storage center facility. In the event the expanding data storage center facility has not been in operation for a full twelve-month period at the time of the submission of a project plan, the average number of full-time employees for the number of months the expanding data storage center facility has been in operation prior to the date of the submission of the project plan;

(13) "Operating taxpayer", where more than one taxpayer is responsible for a project, a taxpayer responsible for the equipping and ongoing operations of the facility, as opposed to a taxpayer responsible for the purchasing or construction of the facility;

(14) "Project taxpayers", each constructing taxpayer and each operating taxpayer for a data storage center project;

(15) "Replacement facility", a facility in this state otherwise described in subdivision (7) of this subsection, but which replaces another facility located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating within one year prior to the commencement of commercial operations at the new facility;

(16) "Taxpayer", the purchaser of tangible personal property or a service that is subject to state or local sales or use tax and from whom state or local sales or use tax is owed. Taxpayer shall not mean the seller charged by law with collecting the sales tax from the purchaser.

2. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, project taxpayers for a new data storage center project shall be entitled, for a project period not to exceed fifteen years from the date of conditional approval under this section and subject to the requirements of subsection 3 of this section, to an exemption of one hundred percent of the state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, limited to the net fiscal benefit of the state calculated over a ten year period, on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in a new data storage center;

(2) All machinery, equipment, and computers used in any new data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing any new data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable data.

3. Any data storage center project seeking a tax exemption under subsection 2 of this section shall submit a project plan to the department of economic development, which shall identify each known constructing taxpayer and known operating taxpayer for the project and include any additional information the department of economic development may require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 2 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for a new facility. The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditionally approved new facility has met the requirements in subsection 1 of this section for a new facility and the execution of the agreement specified in subsection 6 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the new facility to the department of revenue as being eligible for the

exemption dating retroactively to the first day of the thirty-six month period. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the thirty-six month period, shall issue a refund of taxes paid but eligible for exemption under subsection 2 of this section to each operating taxpayer and each constructing taxpayer and issue a certificate of exemption to each new project taxpayer for ongoing exemptions under subsection 2 of this section.

4. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, upon approval by the department of economic development, project taxpayers for expanding data center projects may, for a period not to exceed ten years, be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in an expanding data storage center which, on an annual basis, exceeds the amount of electrical energy, gas, water, and other utilities including telecommunication and internet services used in the existing facility or the replaced facility prior to the expansion, provided that any substantial renovation, as defined in section 8.800, at an expanding facility shall meet applicable provisions of the International Energy Conservation Code 2009 or most recent version thereof. For purposes of this subdivision only, amount shall be measured in kilowatt hours, gallons, cubic feet, or other measures applicable to a utility service as opposed to in dollars, to account for increases in utility rates;

(2) All machinery, equipment, and computers used in any expanding data storage center, the cost of which, on an annual basis, exceeds the average of the previous three years' expenditures on machinery, equipment, and computers at the existing facility or the replaced facility prior to the expansion. Existing facilities or replaced facilities in existence for less than three years shall have the average expenditures calculated based upon the applicable time of existence; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing, repairing, or remodeling any expanding data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development.

5. Any data storage center project seeking a tax exemption under subsection 4 of this section shall submit a project plan to the department of economic development, which shall identify each known constructing taxpayer and each known operating taxpayer for the project and include any additional information the department of economic development may reasonably require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 4 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for an expanding facility project and the execution of the agreement specified in subsection 6 of this section. The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditional approved facility has met the requirements in subsection 1 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the project to the department of revenue as being eligible for the exemption dating retroactively to the first day of the thirty-six month period. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the thirty-six month period, shall issue a refund of taxes paid but eligible for exemption under subsection 4 of this section to any applicable project taxpayer and issue a certificate of exemption to any applicable project taxpayer for ongoing exemptions under subsection 4 of this section.

6. (1) The exemptions in subsections 2 and 4 of this section shall be tied to the new or expanding facility project. A certificate of exemption in the hands of a taxpayer that is no longer an operating or constructing taxpayer of the new or expanding facility project shall be invalid as of the date the taxpayer was no longer an operating or constructing taxpayer of the new or expanding facility project. New certificates of exemption shall be issued to successor constructing taxpayers and operating taxpayers at such new or expanding facility projects. The right to the exemption by successor taxpayers shall exist without regard to subsequent levels of investment in the new or expanding facility by successor taxpayers.

(2) As a condition of receiving an exemption under subsection 2 or 4 of this section, the project taxpayers shall enter into an agreement with the department of economic development providing for repayment penalties in the event the data storage center project fails to comply with any of the requirements of this section.

(3) The department of revenue shall credit any amounts remitted by the project taxpayers under this subsection to the fund to which the sales and use taxes exempted would have otherwise been credited.

7. The department of economic development and the department of revenue shall cooperate in conducting random audits to ensure that the intent of this section is followed.

8. The department of economic development and the department of revenue shall jointly prescribe such rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill, Sections 196.1109 and 196.1115, Pages 49-51, by striking all of said sections from the bill and inserting in lieu thereof the following:

“196.1109. All moneys that are appropriated by the general assembly from the life sciences research trust fund shall be appropriated to the life sciences research board to increase the capacity for quality of life sciences research at public and private not-for-profit institutions in the state of Missouri and to thereby:

(1) Improve the quantity and quality of life sciences research at public and private not-for-profit institutions, including but not limited to basic research (including the discovery of new knowledge), translational research (including translating knowledge into a usable form), and clinical research (including the literal application of a therapy or intervention to determine its efficacy), including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and plant sciences, including but not limited to nutrition and food safety; and

(2) Enhance technology transfer and technology commercialization derived from research at public and private not-for-profit institutions within the centers for excellence. For purposes of sections 196.1100 to 196.1130, "technology transfer and technology commercialization" includes stages of the regular business cycle occurring after research and development of a life science technology, including but not limited to reduction to practice, proof of concept, and achieving federal Food and Drug Administration, United States Department of Agriculture, or other regulatory requirements in addition to the definition in section 348.251. Funds received by the board may be used for purposes authorized in sections 196.1100 to 196.1130 and shall be subject to the restrictions of sections 196.1100 to 196.1130, including but not limited to the costs of personnel, supplies, equipment, and renovation or construction of physical facilities; provided that in any single fiscal year no more than [ten] **thirty** percent of the moneys appropriated shall be used for the construction of physical facilities and further provided that in any fiscal year **up to** eighty percent of the moneys shall be appropriated to build research capacity at public and private not-for-profit institutions and **at least** twenty percent **and no more than fifty percent** of the moneys shall be appropriated for grants to public or private not-for-profit institutions to promote life science technology transfer and technology commercialization. Of the moneys appropriated to build research capacity, twenty percent of the moneys shall be appropriated to promote the development of research of tobacco-related illnesses.

196.1115. 1. The moneys appropriated to the life sciences research board that are not distributed by the board in any fiscal year to a center for excellence or a center for excellence endorsed program pursuant to section 196.1112, if any, shall be held in reserve by the board or shall be awarded on the basis of peer review panel recommendations for capacity building initiatives proposed by public and private not-for-profit academic, research, or health care institutions or organizations, or individuals engaged in competitive research in targeted fields consistent with the provisions of sections 196.1100 to 196.1130.

2. The life sciences research board may, in view of the limitations expressed in section 196.1130:

(1) Award and enter into grants or contracts relating to increasing Missouri's research capacity at public or private not-for-profit institutions;

(2) Make provision for peer review panels to recommend and review research projects;

(3) Contract for [administrative and] support services;

(4) Lease or acquire facilities and equipment;

(5) Employ administrative staff; and

(6) Receive, retain, hold, invest, disburse or administer any moneys that it receives from appropriations or from any other source.

3. **The Missouri technology corporation, established under section 348.251, shall serve as the administrative agent for the life sciences research board.**

4. The life sciences research board shall utilize as much of the moneys as reasonably possible for building capacity at public and private not-for-profit institutions to do research rather than for administrative expenses. The board shall not in any fiscal year expend more than two percent of the total moneys appropriated to it and of the moneys that it has in reserve or has received from other sources for its own administrative expenses **for appropriations over twenty million dollars; three percent for appropriations less than twenty million dollars but more than fifteen million dollars; four percent for appropriations less than fifteen million dollars but more than ten million dollars; five percent for appropriations less than ten million dollars;** provided, however, that the general assembly by appropriation from the life sciences research trust fund may authorize a limited amount of additional moneys to be expended for administrative costs.”; and

Further amend said bill, Sections 253.545, 253.550, 253.557, 253.559, 348.250, 348.251, 348.256, Pages 52-66, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) **"Department", the department of economic development;**

(4) "Eligible property", property located in Missouri and offered or used for residential or business purposes;

[(4)] (5) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

[(5)] (6) "Principal", a managing partner, general partner, or president of a taxpayer;

[(6)] (7) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

[(7)] (8) "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation;

(9) **"Total basis in the property", the cost, or fair market value, of the property at the time of acquisition, or as otherwise defined in the Internal Revenue Code of 1986, as amended. Cost includes the cash paid, the fair market value of services rendered, and the fair market value of property traded in exchange for the property. Certain closing costs may also be added to the basis of property. Such closing costs include commissions paid by the purchaser, legal fees, recording fees, and state transfer taxes on real estate;**

(10) **"Total costs and expenses of rehabilitation", all reasonable costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district, including but not limited to qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Taxpayers may incur qualifying expenses included in the total costs and expenses of rehabilitation at their own risk up to one year before the date of submission of a preliminary application under section 253.559. Such reasonable costs and expenses shall include, but not be limited to, rehabilitation work in progress and accrued developer fees if an agreement or other contractual document provides for payment of such accrued developer fees within twelve years of project completion. If a taxpayer defaults on the payments of the developer fees, the applicant will be liable to the state for the portion of tax credits attributable to the amount of the unpaid developer fees over the twelve year period. In determining the total costs and expenses of rehabilitation the department shall accept such costs and expenses as certified by a licensed certified public accountant that is not an affiliate of the applicant, so long as such cost and expense certification is the same as being used to determine qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, or, if not eligible for federal historic preservation tax credits, then same as would be used if the project were eligible and using such certification to determine qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended; provided that the cost and expense certification will be subject to an audit by the department after the issuance of the tax credits. If there is a final disallowance of more than 10%, the applicant will be subject to a civil penalty equal to 110% of the tax credits attributable to the amount of the cost and expenses in excess of the final disallowance.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district[, may,] **shall**, subject to the provisions of this section

and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred [after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder,] provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of [subsection 3 of] section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. **For each fiscal year beginning on or after July 1, 2011, the department shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty-five million dollars, increased by any amount of tax credits for which approval shall be rescinded or carried forward under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits or for projects under subsection 7 (1) provided that no more than ten million dollars shall be authorized in any fiscal year for such projects.**

6. For all applications for tax credits approved on or after July 1, 2011, no more than two hundred fifty thousand dollars in tax credits may be issued for the total costs and expenses of rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district. For purposes of this subsection, "eligible property" shall not include any property with a purchase price in excess of four hundred thousand dollars.

7. For each fiscal year beginning on or after July 1, 2011, in addition to applications for tax credits authorized by the department subject to the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the department shall also approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 for the following projects which, in the aggregate, shall not exceed the difference between one hundred forty million dollars and the maximum amount of tax credits for which applications may be approved under subsection 5 of this section:

(1) Any preliminary application for tax credits for a project which is authorized to receive federal low-income housing tax credits;

(2) Any preliminary application for tax credits for a project which:

(a) On or before July 1, 2011, has received an approved Part I from the Secretary of the United States Department of the Interior or is a certified historic structure; and

(b) Has had costs and expenses incurred by a taxpayer for an eligible property on or before July 1, 2011, including but not limited to acquisition costs, exceeding the lesser of fifteen percent of the total project costs or three million dollars, and for which such taxpayer's interest, including all rehabilitation work in progress, was acquired by any bank, financial institution, or political subdivision by deed or foreclosure or any subsequent transferee;

(3) Any preliminary application for tax credits for a project which, on or before July 1, 2011, has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **Notwithstanding the foregoing, for all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed under chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] **to 253.559.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits **to any other taxpayer, including but not limited to a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners, **including but not limited to any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department [of economic development]. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each **preliminary** application shall be reviewed by the department [of economic development] for approval. In order to receive approval, [an] **a preliminary** application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated **or actual** project start date, and the estimated project completion date; **and**

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district]; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval].

Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department [of economic development] shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department [of economic development] deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the applicant identified in such application shall notify the department of such change within ninety days of such change.**

5. In the event that the department [of economic development] grants approval for tax credits equal to the total amount available under [subsection] **subsections 2 to 7** of section 253.550, or sufficient that when totaled with all other approvals, the amount available under [subsection] **subsections 2 to 7** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department [of economic development] that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department [of economic development] and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation, **if rehabilitation has not previously begun**, within two years of the date of issuance of the letter from the department [of economic development] granting the approval for tax credits. "[Commencement of] **Commence** rehabilitation" shall mean that [as of the date in which] actual physical work, **as** contemplated by the architectural plans submitted with the application, has begun, **and that** the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. **Taxpayers may commence rehabilitation and incur qualifying expenses at their own risk before the property qualifies as a certified historic structure. Upon final review by the department under this section, including the necessary determination of the total costs and expenses of rehabilitation, the taxpayer shall receive tax credits for all qualifying expenses.** If the department [of economic development] determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the total amount of tax credits, provided under [subsection] **subsections 2 to 7** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department [of economic development] and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final [approval] **review** and issuance of tax credits from the department [of economic development] which, in consultation with the department of natural resources, shall determine **(I)** the final amount of [eligible rehabilitation costs and expenses] **the total costs and expenses of rehabilitation based solely on a certification of such total costs and expenses of rehabilitation prepared in a manner prescribed by the department and submitted with the final**

application submitted under this section and (ii) whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. For financial institutions credits authorized pursuant to sections 253.550 to 253.561 shall be deemed to be economic development credits for purposes of section 148.064. The [approval] **review** of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department [of economic development]. The department [of economic development] shall inform a taxpayer of final [approval] **determination** by letter and shall issue, to the taxpayer, tax credit certificates. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that **total** costs and expenses of rehabilitation [of] **for** the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the [amount of eligible rehabilitation] **total** costs and expenses **of rehabilitation** incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be **automatically approved**, subject **only to availability of tax credits and** all provisions regarding priority provided under subsection 1 of this section.

9. The department [of economic development] shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.

(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.

(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.

(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.

(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.

11. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 253.545 to 253.559 shall be authorized on or after August 28, 2021. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to such date, or a taxpayer's ability to redeem such tax credits.

348.250. Sections 348.250 to 348.275 shall be known and may be cited as the "Missouri Science and Innovation Reinvestment Act".

348.251. 1. As used in sections 348.251 to 348.266, the following terms mean:

(1) "Applicable percentage", six percent for the fiscal year beginning July 1, 2012, and the next fourteen consecutive fiscal years; five percent for the immediately subsequent five fiscal years; and four percent for the immediately subsequent five fiscal years;

(2) "Applied research", any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue of science and innovation, including but not limited to translational research;

(3) "Base year", fiscal year ending June 30, 2010;

(4) "Base year gross wages", gross wages paid by science and innovation companies to science and innovation employees during fiscal year ending June 30, 2010;

(5) "Basic research", any original investigation for the advancement of scientific or technical knowledge of science and innovation;

(6) "Commercialization", any of the full spectrum of activities required for a new technology, product, or process to be developed from the basic research or conceptual stage through applied research or development to the marketplace, including without limitation, the steps leading up to and including licensing, sales, and service;

(7) "Corporation", the Missouri technology corporation established under this section;

(8) "Fields of applicable expertise", any of the following fields: science and innovation research, development, or commercialization, including basic research and applied research; corporate finance, venture capital, and private equity related to science and innovation; the business and management of science and innovation companies; education related to science and innovation; or civic or corporate leadership in areas related to science and innovation;

(9) "Inherent conflict of interest", a fundamental or systematic conflict of interest that prevents a person from serving as a disinterested director of the corporation and from routinely performing his or her duties as a director of the corporation;

(10) "NAICS industry groups" or "NAICS codes", the North American Industry Classification System developed under the auspices of the United States Office of Management and Budget and adopted in 1997, as may be amended, revised, or replaced by similar classification systems for similar uses from time to time;

(11) "Science and innovation", the use of compositions and methods in research, development, and manufacturing processes for such diverse areas as agriculture-biotechnology, animal health, biochemistry, bioinformatics, energy, environment, forestry, homeland security, information technology, medical devices, medical diagnostics, medical instruments, medical therapeutics, microbiology, nanotechnology, pharmaceuticals, plant biology, and veterinary medicine, including future developments in such areas;

(12) "Science and innovation company", a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, person, group, or other entity that is:

(a) Engaged in the research, development, commercialization, or business of science and innovation in the state, including, without limitation, research, development, or production directed toward developing or providing science and innovation products, processes, or services for specific commercial or public purposes, including hospitals, nonprofit research institutions, incubators, accelerators, and universities currently located or involved in the research, development, commercialization, or business of science and innovation in the state; or

(b) Identified by the following NAICS industry groups or NAICS codes or any amended or successor code sections covering such areas of research, development, and commercial endeavors: 3251; 3253; 3254; 3391; 51121; 54138; 54171; 62231; 111191; 111421; 111920; 111998; 311119; 311211; 311221; 311222; 311223; 325193; 325199; 325221; 325222; 325611; 325612; 325613; 325311; 325312; 325314; 325320; 325411; 325412; 325414; 333298; 334510; 334516; 334517; 339111; 339112; 339113; 339114; 339115; 339116; 424910; 541710; 621511; and 621512.

Each of the above listed four-digit and five-digit codes shall include all six-digit codes in such four-digit and five-digit industry; however, each six-digit code shall stand alone and not indicate the inclusion of other omitted six-digit codes that also are subsets of the pertinent four-digit or five-digit industry to which the included six-digit code belongs;

(13) "Science and innovation employee", any employee, officer, or director of a science and innovation company who is a state income taxpayer and any employee of a university who is associated with or supports the research, development, commercialization, or business of science and technology in the state and is obligated to pay state income tax to the state;

(14) "Technology application", the introduction and adaptation of refined management practices in fields such as scheduling, inventory management, marketing, product development, and training in order to improve the quality, productivity and profitability of an existing firm. Technology application shall be considered a component of business modernization;

[(2) "Technology commercialization", the process of moving investment-grade technology from a business, university or laboratory into the marketplace for application;

(3)] (15) "Technology development", strategically focused research directed at developing investment-grade technologies which are important for market competitiveness.

2. The governor may, on behalf of the state and in accordance with chapter 355, RSMo, establish a private not-for-profit corporation named the "Missouri Technology Corporation", to carry out the provisions of sections 348.251

to 348.266. As used in sections [348.251 to 348.266] **348.250 to 348.275** the word "corporation" means the Missouri technology corporation authorized by this section. Before certification by the governor, the corporation shall conduct a public hearing for the purpose of giving all interested parties an opportunity to review and comment [upon] **on** the articles of incorporation, bylaws and [method] **methods** of operation of the corporation. Notice of the hearing shall be given at least fourteen days prior to the hearing.

348.256. **1.** The articles of incorporation [and], bylaws, **and methods of operation** of the Missouri technology corporation shall [provide that:] **be consistent with the provisions of sections 348.250 to 348.275.**

[(1)] **2.** The purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and [technology] **innovation**, to promote the modernization of Missouri businesses by supporting the transfer of science, technology and quality improvement methods to the workplace[, and]; to enhance the productivity and modernization of Missouri businesses by providing leadership in the establishment of methods of technology application, technology commercialization and technology development; **to make Missouri businesses, institutions, and universities more competitive and increase their likelihood of success; to support and enhance local and regional strategies and initiatives that capitalize on the unique science and innovation assets across the state; to make Missouri a highly desirable state in which to conduct, facilitate, support, fund, and perform science and innovation research, development, and commercialization; to facilitate and effect the creation, attraction, retention, growth, and enhancement of both existing and new science and innovation companies in the state; to make Missouri a national and international leader in economic activity based on science and innovation; to enhance workforce development; to create and retain quality jobs; to advance scientific knowledge; and to improve the quality of life for the citizens of the state of Missouri in both urban and rural communities.**

[(2)] **3.** The board of directors of the corporation [is] **shall be** composed of fifteen persons. The governor shall annually appoint one of its members, who must be from the private sector, as [chairman] **chairperson**. The board shall consist of the following members:

- [(a)] **(1)** The director of the department of economic development, or the director's designee;
- [(b)] **(2)** The president of the University of Missouri system, or the president's designee;
- [(c)] **(3)** A member of the state senate, appointed by the president pro tem of the senate;
- [(d)] **(4)** A member of the house of representatives, appointed by the speaker of the house;
- [(e)] **(5)** Eleven members appointed by the governor, [two of which shall be from the public sector and nine members from the private sector who shall include, but shall not be limited to, individuals who represent technology-based businesses and industrial interests;

(f) with the advice and consent of the senate, who are recognized for outstanding knowledge, leadership, and expertise in one or more of the fields of applicable expertise.

Each of the directors of the corporation who is appointed by the governor shall serve for a term of four years and until a successor is duly appointed; except that, of the directors serving on the corporation as of August 28, 1995, three directors shall be designated by the governor to serve a term of four years, three directors shall be designated to serve a term of three years, three directors shall be designated to serve a term of two years, and two directors shall be designated to serve a term of one year. Each director shall continue to serve until a successor is duly appointed by the governor;

(3) The corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(4) The corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 348.261;

(5)].

4. Any changes in the articles of incorporation or bylaws must be approved by the governor[;].

[(6)] The corporation shall submit an annual report to the governor and to the Missouri general assembly. The report shall be due on the first day of November for each year and shall include detailed information on the structure, operation and financial status of the corporation. The corporation shall conduct an annual public hearing to receive comments from interested parties regarding the report, and notice of the hearing shall be given at least fourteen days prior to the hearing; and

(7)] 5. **At the discretion of the state auditor**, the corporation is subject to an [annual] audit [by the state auditor] and [that] the corporation shall bear the full cost of the audit.

6. Each of the directors of the corporation provided for in subdivisions (1) and (2) of subsection 3 of this section shall remain a director until the designating individual specified in such subdivisions designates a replacement by sending a written communication to the governor and the chairperson of the board of the

corporation; provided however, that if the director of economic development or the president of the University of Missouri system designates himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the director of economic development or as the president of the University of Missouri system. Each of the directors of the corporation provided for in subdivisions (3) and (4) of subsection 3 of this section shall remain a director until the appointing member of the general assembly specified in such subdivisions appoints a replacement by sending a written communication to the governor and the chairperson of the corporation board; provided however, that if the speaker of the house or the president pro tem of the senate appoints himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the speaker of the house or the president pro tem of the senate.

7. Each of the eleven members of the board appointed by the governor shall:

(1) Hold office for the term of appointment and until the governor duly appoints his or her successor; provided that if a vacancy is created by the death, permanent disability, resignation, or removal of a director, such vacancy shall become immediately effective;

(2) Be eligible for reappointment, but members of the board shall not be eligible to serve more than two consecutive four-year terms and shall not be reappointed to the board until they have not served on the board for a period of at least four interim years;

(3) Not have a known inherent conflict of interest at the time of appointment; and

(4) Not have served in an elected office or a cabinet position in state government for a period of two years prior to appointment, unless otherwise provided in this section.

8. Any member of the board may be removed by affirmative vote of eleven members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, failure to comply with the corporation's conflicts of interest policy, conviction of a felony, or for any cause that renders the member incapable of or unfit to discharge the duties of a director of the corporation.

9. The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. Unless otherwise restricted by Missouri law, the directors may participate in a meeting of the board by means of telephone conference or other electronic communications equipment whereby all persons participating in the meeting can communicate clearly with each other, and participation in a meeting in such manner will constitute presence in person at such meeting.

10. A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of more members of the board for approval or as required by law. All resolutions and orders of the board shall be recorded and authenticated by the signature of the secretary or any assistant secretary of the board.

11. Members of the board shall serve without compensation. Members of the board attending meetings of the board, or attending committee or advisory meetings thereof, shall be paid mileage and all other applicable expenses, provided that such expenses are reasonable, consistent with policies established from time to time by the board, and not otherwise inconsistent with law.

12. The board may adopt, repeal, and amend such articles of incorporation, bylaws, and methods of operation that are not contrary to law or inconsistent with sections 348.250 to 348.275, as it deems expedient for its own governance and for the governance and management of the corporation and its committees and advisory boards; provided that any changes in the articles of incorporation or bylaws approved by the board must also be approved by the governor.

13. A president shall direct and supervise the administrative affairs and the general management of the corporation. The president shall be a person of national prominence that has expertise and credibility in one or more of the fields of applicable expertise with a demonstrated track record of success in leading a mission-driven organization. The president's salary and other terms and conditions of employment shall be set by the board. The board may negotiate and enter into an employment agreement with the president of the corporation, which may provide for compensation, allowances, benefits, and expenses. The president of the corporation shall not be eligible to serve as a member of the board until two years after the end of his or her employment with the corporation. The president of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

14. The corporation may employ such employees as it may require and upon such terms and conditions as it may establish that are consistent with state and federal law. The corporation may establish personnel,

payroll, benefit, and other such systems as authorized by the board, and provide death and disability benefits. Corporation employees, including the president, shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the corporation shall constitute pay from a department for purposes of accruing benefits under the Missouri state employees' retirement system. The corporation may also adopt, in accordance with requirements of the federal Internal Revenue Code of 1986, as amended, a defined contribution plan sponsored by the corporation with respect to employees, including the president, employed by the corporation. Nothing in sections 348.250 to 348.275 shall be construed as placing any officer or employee of the corporation or member of the board in the classified or the unclassified service of the state of Missouri under Missouri laws and regulations governing civil service. No employee of the corporation shall be eligible to serve as a member of the board until two years immediately following the end of his or her employment with the corporation. All employees of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

15. No later than the first day of January each year, the corporation shall submit an annual report to the governor and to the Missouri general assembly which the corporation may contract with a third party to prepare and which shall include:

(1) A complete and detailed description of the operating and financial conditions of the corporation during the prior fiscal year;

(2) Complete and detailed information about the distributions from the Missouri science and innovation reinvestment fund and from any income of the corporation;

(3) Information about the growth of science and innovation research and industry in the state;

(4) Information regarding financial or performance audits performed in such year, including any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the corporation; and

(5) Whether or not the corporation made any distribution during the prior fiscal year to a research project or other project for which a report shall be filed under subsection 4 of section 38(d) of article III of the Constitution of the State of Missouri. If such a distribution was made, the corporation shall disclose in the annual report the amount of the distribution, the recipient of the distribution, and the project description.

16. The corporation shall keep its books and records in accordance with generally accepted accounting procedures. Within four months following the end of each fiscal year, the corporation shall cause a firm of independent certified public accountants of national repute to conduct and deliver to the board an audit of the financial statements of the corporation and an opinion thereon, to be conducted in accordance with generally accepted audit standards, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

17. Within four months following the end of every odd numbered fiscal year, beginning with fiscal year 2016, the corporation shall cause an independent firm of national repute that has expertise in science and innovation research and industry to conduct and deliver to the board an evaluation of the performance of the corporation for the prior two fiscal years, including detailed recommendations for improving the performance of the corporation, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

18. The corporation shall provide the state auditor a copy of the financial and performance evaluations prepared under subsections 16 and 17 of this section.

19. The corporation shall have perpetual existence until an act of law expressly dissolves the corporation; provided that no such law shall take effect so long as the corporation has obligations or bonds outstanding unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the corporation, all property, funds, and assets thereof shall be vested in the state.

20. Except as provided under section 348.266, the state hereby pledges to, and agrees with, recipients of corporation funding or beneficiaries of corporation programs under sections 348.250 to 348.275 that the state shall not limit or alter the rights vested in the corporation under sections 348.250 to 348.275 to fulfill the terms of any agreements made or obligations incurred by the corporation with or to such third parties, or in any way impair the rights and remedies of such third parties until the obligations of the corporation and the state are fully met and discharged in accordance with sections 348.250 to 348.275.

21. The corporation shall be exempt from:

- (1) Any general ad valorem taxes upon any property of the corporation acquired and used for its public purposes;
- (2) Any taxes or assessments upon any projects or upon any operations of the corporation or the income therefrom;
- (3) Any taxes or assessments upon any project or any property or local obligation acquired or used by the corporation under the provisions of sections 348.250 to 348.275, or upon income therefrom.

Purchases by the corporation to be used for its public purposes shall not be subject to sales or use tax under chapter 144. The exemptions hereby granted shall not extend to persons or entities conducting business on the corporations' property for which payment of state and local taxes would otherwise be required.

22. No funds of the corporation shall be distributed to its employees or members of the board; except that, the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to, or for, its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation.

23. The corporation shall adopt and maintain a conflicts of interest policy to protect the corporation's interests by requiring disclosure by an interested party, appropriate recusal by such person, and appropriate action by the interested party or the board where a conflict of interest may exist or arise between the corporation and a director, officer, employee, or agent of the corporation.”; and

Further amend said bill, 348.265 and 348.269, Pages 72-73, by striking all of said sections from the bill and inserting in lieu thereof the following:

“348.265. 1. As soon as practicable after August 28, 2011, the director of the department of economic development, with the assistance of the director of the department of revenue, shall establish the base year gross wages and report the amount of the base year gross wages to the president and board of the corporation, the governor, and the general assembly. Within one hundred eighty days after the end of each fiscal year beginning with the fiscal year ending June 30, 2011, and for each subsequent fiscal year prior to the end of the last funding year, the director of economic development, with the assistance of the director of the department of revenue, shall determine and report to the president and board of the corporation, governor, and general assembly the amount by which aggregate science and innovation employees' gross wages for the fiscal year exceeds the base year gross wages. The director of economic development and the director of the department of revenue may consider any verifiable evidence, including but not limited to the NAICS codes assigned or recorded by the United States Department of Labor for companies with employees in the state, when determining which organizations should be classified as science and innovation companies.

2. Notwithstanding section 23.250 to the contrary, for each of the twenty-five funding years, beginning July 1, 2012, subject to appropriation, the director of revenue shall transfer to the Missouri science and innovation reinvestment fund an amount not to exceed an amount equal to the product of the applicable percentage multiplied by an amount equal to the increase in aggregate science and innovation employees' gross wages for the prior fiscal year, over the base year gross wages. The director of revenue may make estimated payments to the Missouri science and innovation reinvestment fund more frequently based on estimates provided by the director of revenue and reconciled annually.

3. Local political subdivisions may contribute to the Missouri science and innovation reinvestment fund through a grant, contract, or loan by dedicating a portion of any sales tax or property tax increase resulting from increases in science and innovation company economic activity occurring after August 28, 2011, or other such taxes or fees as such local political subdivisions may establish.

4. Funding generated by the provisions of this section shall be expended by the corporation to further its purposes as specified in section 348.256.

5. Upon enactment of this section, the corporation shall prepare a strategic plan for the use of the funding to be generated by the provisions of this section, and may consult with science and innovation partners, including, but not limited to the research alliance of Missouri, as established in section 348.257; the life sciences research board established in section 196.1103; and the innovation centers or centers for advanced technology, as established in section 348.272. The corporation shall make a draft strategic plan available for public comment prior to publication of the final strategic plan.

348.269. 1. Nothing contained in sections 348.250 to 348.275 shall be construed as a restriction or limitation upon any powers that the corporation might otherwise have under chapter 355, and the provisions of sections 348.250 to 348.275 are cumulative to such powers.

2. Nothing in sections 348.250 to 348.275 shall be construed as allowing the board to sell the corporation or substantially all of the assets of the corporation, or to merge the corporation with another institution, without prior authorization by the general assembly.

3. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of sections 348.250 to 348.275 shall not sunset.

4. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.

5. If any provision of this Act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. Insofar as the provisions of sections 348.250 to 348.275 are inconsistent with the provisions of any other law, general, specific or local, the provisions of sections 348.250 to 348.275 shall be controlling.”; and

Further amend said bill, Sections 447.708, 620.1878, 620.1881, 620.1900, and 620.2300, Pages 75-98, by striking all of said sections and inserting in lieu thereof the following:

“447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month

period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, **backfill of areas where contaminated soil excavation occurs**, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality

which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to [6] 5 of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

12. For each fiscal year beginning on or after July 1, 2011, the total amount of tax credits authorized under the provisions of sections 447.700 to 447.718 shall not exceed forty million dollars. No more than a total of ten million dollars in tax credits authorized under the provisions of sections 447.700 to 447.718 shall be authorized in any fiscal year for projects which receive benefits under the provisions of section 99.1205.

620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

- (1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;
- (2) "Average wage", the new payroll divided by the number of new jobs;
- (3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;
- (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;
- (5) "Department", the Missouri department of economic development;
- (6) "Director", the director of the department of economic development;
- (7) "Employee", a person employed by a qualified company;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) **"New capital investment", shall include funds spent by the qualified company at the project facility after the approval of the notice of intent for real or personal property, and may include the present value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after approval of the notice of intent;**

(13) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

[(13)] (14) "New investment", the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

[(14)] (15) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)] (16) "New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)] (17) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

[(17)] (18) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

[(18)] (19) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)] (20) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)] (21) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)] (22) "Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)] (23) "Project period", the time period that the benefits are provided to a qualified company;

[(23)] (24) **"Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;**

(25) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
- (f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:
 - a. Certifies to the department that it plans to reorganize and not to liquidate; and
 - b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;
- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production; or
- (k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

~~[(24)]~~ **(26)** "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

- (a) Open-looped biomass;
- (b) Close-looped biomass;
- (c) Solar;
- (d) Wind;
- (e) Geothermal; and
- (f) Hydropower;

~~[(25)]~~ **(27)** "Related company" means:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

~~[(26)]~~ **(28)** "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

~~[(27)]~~ **(29)** "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] (30) "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] (31) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] (32) "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] (33) "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] (34) "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] (35) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under [subdivision (19) of] section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level

applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] **(35)** of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

(5) (a) Job retention projects: In lieu of the benefits provided under subdivision (4) of this subsection and in exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and the making of new capital investment in this state, a qualified company may be eligible to receive the benefits described in this subdivision if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this subdivision.

(b) A qualified company meeting the requirements of this subdivision may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this subdivision, a qualified company shall enter into written agreement with the department containing detailed performance requirements and repayment penalties in event of nonperformance. The amount of benefits awarded to a qualified company under this subdivision and subdivision (6) of this subsection shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment.

(c) In order to be eligible to receive benefits under this subdivision, the qualified company shall meet each of the following conditions:

a. The qualified company shall agree to retain, for a period of ten years from the date of approval, at least one hundred and twenty-five retained jobs; and

b. The qualified company shall agree to make a new capital investment at the project facility within three years of the approval in an amount at least three times the amount of the benefits, available under this subdivision, which are offered to the qualified company by the department.

(d) In awarding benefits under this subdivision, the department shall consider the following factors:

a. The significance of the qualified company's need for program benefits;

b. The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

c. The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

d. The financial stability and creditworthiness of the qualified company;

e. The level of economic distress in the area;

f. An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

g. The percent of local incentives committed;

(e) Upon approval of a notice of intent to request benefits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

b. Clawback provisions, as may be required by the department; and

c. Any other provisions the department may require.

(f) In no event shall the total amount of benefits available to all qualified companies under this subdivision exceed:

a. Three million dollars for the fiscal year beginning on or after July 1, 2011, and ending on or before June 30, 2012;

b. Four million dollars for the fiscal year beginning on or after July 1, 2012, and ending on or before June 30, 2013;

c. Five million dollars for the fiscal year beginning on or after July 1, 2013, and ending on or before June 30, 2014; and

d. Six million dollars for all fiscal years beginning on or after July 1, 2014.

(6) (a) The department may award a qualified company meeting the requirements of subdivision (5) of this subsection tax credits in an amount not to exceed eighty percent of the amount the qualified company may otherwise be eligible to retain for a period of five years under subdivision (5) of this subsection.

(b) In addition to satisfying each of the requirements of subdivision (5) of this subsection, a qualified company requesting tax credits under this subdivision shall provide to the department, prior to approval, evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within two years of the date of approval.

(c) Upon approval of a notice of intent to request tax credits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of jobs, payroll, and new capital investment for each year during the project period;

b. The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval;

c. Penalties, including the recapture of tax credits awarded under this subdivision, for failure to satisfy the requirements provided under this subdivision and subdivision (5) of this subsection; and

d. Any other provisions the department may require.

(d) No later than October 1, 2011, and the first day of October each year thereafter, the department shall provide to the budget committee of the house of representatives and the appropriations committee of the senate a request for an appropriation for the tax credits authorized under this subdivision. Appropriations made under the provisions of this subdivision shall provide the amount of tax credits which may be authorized during the fiscal year immediately following the fiscal year in which such appropriation is made. Appropriations provided under this subdivision shall only be made in the annual appropriation bill relating to public debt.

(e) No tax credits shall be authorized under the provisions of this subdivision, unless an appropriation is made under the provisions of paragraph (d) of this subdivision. In any fiscal year for which an appropriation is made under the provisions of paragraph (d) of this subdivision, no more than the amount of tax credits so appropriated shall be authorized. There is hereby created in the state treasury the "Missouri Quality Jobs Retention Tax Credit Program Fund", which shall consist of money appropriated under this subsection. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this subdivision. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in

the fund for tax credits which have been authorized but not yet redeemed at the end of the fiscal year shall not revert to the credit of the general revenue fund. Any moneys remaining in the fund at the end of the fiscal year for any tax credits which remain unauthorized at the end of the fiscal year shall revert to the credit of the general revenue fund. Provisions of section 32.057 to the contrary notwithstanding, the department of revenue shall notify the director of the department upon redemption of each tax credit authorized under the provisions of this subdivision. Upon such notification, an amount equal to the tax credits redeemed shall be transferred from the fund created in this subdivision to the general revenue fund. In the event the department determines that any tax credit authorized under this subsection is precluded from being redeemed due to contractual agreement entered into by the department and the tax credit applicant or is otherwise precluded by law from being redeemed, an amount equal to such tax credit shall be transferred from the fund created in this subdivision to the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the general revenue fund at the end of each fiscal year.

(7) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially

filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.

620.2300. 1. As used in this section, the following terms shall mean:

- (1) "Department", the Missouri department of economic development;**
 - (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
 - (3) "Commission", the Missouri public service commission;**
 - (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**
 - (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**
 - (6) "Major source", the same meaning as is provided under 40 CFR 70.2;**
 - (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**
 - (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:**
 - (a) The area consists of at least fifty contiguous acres;**
 - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States Environmental Protection Agency;**
 - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;**
 - (d) The development plan for the area includes a biomass facility; and**
 - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;**
 - (9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;**
 - (10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;**
 - (11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;**
 - (12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.**
- 2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.**
- 3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:**
- (1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;**

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and

Further amend said bill, Section 1, Page 98, Line 3, by inserting the following after all of said line:

“[348.253. 1. The Missouri technology corporation may contract with not-for-profit organizations to carry out the provisions of sections 348.251 to 348.275. By entering into such contracts, the corporation shall attempt to achieve the following objectives:

(1) The establishment of a research alliance which shall advance technology development, as defined in subdivision (3) of section 348.251. The corporation, in this capacity, shall have the authority to contract directly with centers for advanced technology, as established by section 348.272, and other not-for-profit entities. In proceeding with this objective, the corporation and centers for advanced technology shall utilize the results of targeted industry studies commissioned by the department of economic development;

(2) Technology commercialization, as defined in subdivision (2) of section 348.251;

(3) The establishment of a finance corporation to assist in the implementation of section 348.261; and

(4) The enhancement of technology application, as defined in subdivision (1) of section 348.251.

2. Any contract signed between the corporation and any not-for-profit organization, including innovation centers as defined in section 348.271, shall require that the not-for-profit organization must provide at least one-hundred-percent match for any funding received from the corporation through the technology investment fund, as established in section 348.264.]”; and

Further amend said bill, Section B, Page 98, Line 9, by inserting the following after all of said line:

“Section C. As provided in section 1.140, the provisions of every section in this act are severable. If any provision of any section in this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of the act are valid unless the court finds the valid provisions of the act are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed the legislature would have enacted the valid provisions without the void one; or unless the court finds that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Amendment No. 1 to House Amendment No. 2.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Diehl offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, Page 20, Line 22, by deleting the word, “**evident**”; and inserting the word, “**event**”; and

Further amend said amendment, Page 48, Line 35, by deleting the number, “**eighty-five**” and inserting in lieu thereof the number, “**ninety-five**”; and

Further amend said amendment, Page 49, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the words, “**carried forward under the provisions of section 253.559.**”; and

Further amend said amendment, Page 49, Lines 21-22, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hough	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 035

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Harris	Jones 63
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Webber

PRESENT: 006

Fallert	Hummel	Meadows	Quinn	Shively
Swinger				

ABSENT WITH LEAVE: 026

Aull	Black	Cierpiot	Cookson	Cross
Ellinger	Fitzwater	Funderburk	Holsman	Houghton
Hughes	Kelly 24	Lasater	Loehner	Marshall
Nasheed	Pollock	Riddle	Sater	Schieffer
Schneider	Taylor	Torpey	Wallingford	Walton Gray
Webb				

VACANCIES: 004

On motion of Representative Talboy, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Zerr, **HCS#2 SCS SB 100, as amended**, was adopted.

On motion of Representative Zerr, **HCS#2 SCS SB 100, as amended**, was read the third time and passed by the following vote:

AYES: 110

Asbury	Barnes	Bernskoetter	Berry	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieffer	Schoeller	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Webber
Weter	White	Wright	Zerr	Mr Speaker

NOES: 035

Atkins	Bahr	Brattin	Carter	Curtman
Dugger	Fitzwater	Franklin	Harris	Hodges
Hummel	Jones 63	Kirkton	Koenig	Leach
Marshall	May	McManus	Nichols	Oxford

2703 *Journal of the House*

Pace	Pierson	Quinn	Schieber	Schupp
Shively	Shumake	Smith 71	Spreng	Swinger
Taylor	Wallingford	Wells	Wieland	Wyatt

PRESENT: 002

Allen	Anders
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ABSENT WITH LEAVE: 012

Aull	Black	Ellinger	Holsman	Hughes
Lasater	Nasheed	Pollock	Sater	Schneider
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Schupp	Shumake	Sifton	Silvey	Smith 150
Solon	Still	Stream	Talboy	Thomson
Torpey	Webber	Wells	Weter	White
Wright	Zerr	Mr Speaker		

NOES: 029

Atkins	Brattin	Carter	Casey	Fitzwater
Harris	Hodges	Jones 63	Kirkton	Leach
Marshall	May	McDonald	McManus	Nichols
Oxford	Pace	Pierson	Quinn	Schieber
Shively	Smith 71	Spreng	Swearingen	Swinger
Taylor	Wallingford	Wieland	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Black	Colona	Ellinger	Holsman
Hughes	Lasater	Nasheed	Pollock	Sater
Walton Gray	Webb			

VACANCIES: 004

Representative Silvey assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SS#2 SCS HCS HB 111, as amended, relating to judicial procedures, was taken up by Representative Cox.

Speaker Tilley resumed the Chair.

On motion of Representative Cox, **SS#2 SCS HCS HB 111, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

2705 *Journal of the House*

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Black	Diehl	Ellinger	Funderburk
Haefner	Holsman	Hughes	Lasater	Nasheed
Oxford	Sater	Schneider	Spreng	Walton Gray
Webb				

VACANCIES: 004

On motion of Representative Cox, **SS#2 SCS HCS HB 111, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Taylor

PRESENT: 000

ABSENT WITH LEAVE: 019

Aull	Black	Brown 50	Carter	Denison
Diehl	Ellinger	Funderburk	Hughes	Lasater

Lichtenegger	Nasheed	Pierson	Sater	Schneider
Spreng	Walton Gray	Webb	Webber	

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Cauthorn
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Nance	Neth	Newman	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Conway 27	Marshall	Smith 71	Swearingen
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PRESENT: 000

ABSENT WITH LEAVE: 032

Aull	Black	Brown 50	Carter	Casey
Cierpiot	Diehl	Ellinger	Funderburk	Grisamore
Holsman	Hughes	Jones 63	Jones 117	Kirkton
Lasater	May	McGeoghegan	Montecillo	Nasheed
Nichols	Oxford	Quinn	Sater	Scharnhorst
Schneider	Schupp	Spreng	Talboy	Taylor
Walton Gray	Webb			

VACANCIES: 004

SS SCS HCS HB 555, as amended, relating to individuals with disabilities, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **SS SCS HCS HB 555, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Jones 117

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Black	Diehl	Ellinger	Funderburk
Hughes	Lasater	Nasheed	Oxford	Sater
Schneider	Spreng	Walton Gray	Webb	

VACANCIES: 004

On motion of Representative Grisamore, **SS SCS HCS HB 555, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Black	Diehl	Ellinger	Funderburk
Hughes	Lasater	Nasheed	Sater	Schneider
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

BENEDICTION

The Benediction was given by Msgr. Robert A. Kurwicky.

Almighty and ever loving God, we humbly stand before You tonight as this session of the Missouri House of Representatives has come to its peaceful conclusion for the year. We express as a chamber our gratitude to You for Your graces, favors, and mercies granted unto us, our staffs, our families and our state.

We acknowledge also our thanks for all the lessons learned, both on and off the floor, of how government works and serves. For the friendships formed, we ask Your blessings; for the relationships broken, we beg for healing.

Finally, fill us with a sense of satisfaction, comfort for the tasks accomplished, and blessings and safety as we travel home. And the House says, "Amen!"

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 8:00 a.m., Thursday, May 26, 2011.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Thursday, May 12, 2011, Page 2455, Line 11, by deleting "**SB**" and inserting in lieu thereof "**HB**".

AFFIDAVIT

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on Page 2242 of the Journal of the House for Tuesday, May 10, 2011, to third read and pass House Committee Substitute for Senate Substitute for Senate Bill No. 202, as amended, was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2011.

/s/ Michael Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2011.

/s/ Patricia G. Pleus
Notary Public

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, THURSDAY, MAY 26, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 37** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 37** was delivered to the Governor by the Chief Clerk of the House.

SIGNING OF HOUSE JOINT RESOLUTION

All other business of the House was suspended while **HJR 2** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HJR 2** was delivered to the Secretary of State by the Chief Clerk of the House.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, SCS HCS HB 17, SCS HCS HB 18, SCS HCS HB 21, SCS HCS HB 22, SCS HCS HB 38, SS SCS HCS HB 45, HB 68, HCS HB 70, SS SCS HCS HBs 73 & 47, HCS HB 83, SS#2 SCS HCS HB 89, CCS SCS HB 101, HB 109, SS#2 SCS HCS HB 111, HCS HB 136, SS SCS HB 137, CCS SCS HB 142, SCS HB 149, HB 151, SS SCS HCS HB 161, HB 183, SS SCS HB 184, SCS HB 186, HB 190, HCS HB 197, HB 199, HB 204, SS HCS HB 213, SCS HCS HB 214, HB 217, HCS HB 220, HCS HBs 223 & 231, HB 229, HCS HB 250, SCS HB 256, HB 260, SS SCS HCS HB 265, SCS HB 270, SS SCS HB 282, SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, SCS HCS HBs 300, 334 & 387, SCS HB 307 and**

HB 812, HCS HB 315, SS HCS HB 338, SS HB 339, HB 340, SCS HCS HB 344, SCS HB 388, HCS HB 407, SCS HCS HB 412, HB 423, CCS SS SCS HCS HB 430, SS SCS HCS HB 431, CCS SS HB 458, SCS HCS HB 464, HCS HB 465, SS SCS HCS HBs 470 & 429, HB 484, HB 499, SCS HCS HB 506, HB 550, SCS HCS HB 552, SS SCS HCS HB 555, SCS HCS HB 578, SCS HB 591, SS SCS HCS HB 604, SCS HCS HB 631, SCS HCS HB 641, SS#2 HB 648, SCS HB 661, SS SCS HCS HB 664, HB 667, HB 675, SCS HB 737, SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 and HB 813 and SCS HB 1008 were read at length and, there being no objections, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, SCS HCS HB 17, SCS HCS HB 18, SCS HCS HB 21, SCS HCS HB 22, SCS HCS HB 38, SS SCS HCS HB 45, HB 68, HCS HB 70, SS SCS HCS HBs 73 & 47, HCS HB 83, SS#2 SCS HCS HB 89, CCS SCS HB 101, HB 109, SS#2 SCS HCS HB 111, HCS HB 136, SS SCS HB 137, CCS SCS HB 142, SCS HB 149, HB 151, SS SCS HCS HB 161, HB 183, SS SCS HB 184, SCS HB 186, HB 190, HCS HB 197, HB 199, HB 204, SS HCS HB 213, SCS HCS HB 214, HB 217, HCS HB 220, HCS HBs 223 & 231, HB 229, HCS HB 250, SCS HB 256, HB 260, SS SCS HCS HB 265, SCS HB 270, SS SCS HB 282, SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, SCS HCS HBs 300, 334 & 387, SCS HB 307 and HB 812, HCS HB 315, SS HCS HB 338, SS HB 339, HB 340, SCS HCS HB 344, SCS HB 388, HCS HB 407, SCS HCS HB 412, HB 423, CCS SS SCS HCS HB 430, SS SCS HCS HB 431, CCS SS HB 458, SCS HCS HB 464, HCS HB 465, SS SCS HCS HBs 470 & 429, HB 484, HB 499, SCS HCS HB 506, HB 550, SCS HCS HB 552, SS SCS HCS HB 555, SCS HCS HB 578, SCS HB 591, SS SCS HCS HB 604, SCS HCS HB 631, SCS HCS HB 641, SS#2 HB 648, SCS HB 661, SS SCS HCS HB 664, HB 667, HB 675, SCS HB 737, SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 and HB 813 and SCS HB 1008** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE CONCURRENT RESOLUTION

All other business of the House was suspended while **SCR 11** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **HCS#2 SJR 2** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS#2 SB 3, SB 36, SB 38, CCS HCS SB 48, SCS SB 54, SS SB 55, HCS SCS SB 57, CCS HCS SB 59, HCS SS#2 SCS SB 62, SS SCS SB 65, SCS SB 68, CCS SS SCS SB 70, HCS SB 77, CCS SCS SB 81, SB 83, HCS#2 SB 96, HCS#2 SB 97, SB 101, CCS HCS#2 SCS SB 117, HCS SS SB 118, HCS SS SCS SB 132, CCS**

HCS SS SB 135, HCS SCS SB 163, SB 165, CCS HCS SB 173, SB 180, HCS SCS SB 213, HCS SB 220, CCS HCS SS SB 226, SB 237, SS SB 238, CCS#2 HCS SB 250, CCS HCS SB 282, CCS HCS SB 284, SS SB 306, SS#2 SCS SB 320, HCS SB 325, HCS SS SCS SB 351, CCS#2 HCS SCS SB 356 and HCS SCS SB 366 were read at length and, there being no objections, were signed by the Speaker to the end that the same may become law.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 3102 - Judiciary

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 22 - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 216 - General Laws
HB 275 - General Laws
HB 325 - General Laws
HB 844 - General Laws
HB 957 - General Laws
HB 988 - General Laws

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 12 - General Laws

MESSAGES FROM THE SENATE

The following messages, reflecting actions taken prior to the 6:00 p.m. adjournment, Friday, May 13, 2011, were received from the Senate through the Secretary of the Senate.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 187** and has taken up and passed **HCS SB 187**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 270, as amended**: Senators Kraus, Engler, Cunningham, Justus and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 284, as amended**: Senators Wasson, Parson, Richard, Callahan and Curls.

The following members' presence was noted: Day, Dugger, Fisher, Gosen, Klippenstein, Rowland and Wells.

ADJOURNMENT

On motion of Speaker Tilley, the House of Representatives, 96th General Assembly, First Regular Session, adjourned pursuant to the Constitution.

STEVEN TILLEY
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

JOURNAL OF THE HOUSE

VETO SESSION

First Regular Session, 96th GENERAL ASSEMBLY

WEDNESDAY, SEPTEMBER 14, 2011

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Give ear to my prayer, O God; and hide not Thyself from my supplication. (Psalm 55:1)

Our Ancient God, Whose love is from everlasting to everlasting and Whose truth endures forever, we pause in Your presence with bowed heads, lifting our spirits to You - unto Whom all hearts are open, all desires known, and from Whom no secrets are hid. Cleanse the thoughts of our hearts by the inspiration of Your Holy Spirit that we may love You more perfectly, do Your will more confidently, and serve You and our state more faithfully.

We come disturbed by the troubles of our time, burdened by the weight of worry, and distressed by our inability to see clearly what we ought to do. We pray for our nation, for our state and for ourselves that we may increase the spirit of goodwill and thus be a part of the solution and not a part of the problem that confronts us. Give us the courage to carry on knowing that in You we find strength for each task.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Louisa Cassity Curchin.

SPECIAL RECOGNITION

Keith Sappington, former Director of Operations, was introduced by Speaker Tilley and presented with a resolution honoring his 35 years of dedicated service to the Missouri House of Representatives.

Mr. Sappington addressed the House.

Speaker Pro Tem Schoeller assumed the Chair.

The New Bloomfield Wildcats Boys Baseball Team was introduced by Representative Riddle and recognized for attaining the 2011 State Championship.

Participants in the 2011 session of the American Legion Boys State of Missouri Legislature were introduced by Representative Colona and presented with resolutions.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 4494 through House Resolution No. 4506

HOUSE RESOLUTIONRepresentative Jones (89) offered **House Resolution No. 1**, which was read.**HOUSE RESOLUTION NO. 1**

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2011 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Jones (89), **House Resolution No. 1** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Hughes

Jones 63

Meadows

VACANCIES: 004

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

June 10, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 10.215

I hereby veto \$30,000 General Revenue Fund for Boone County Legal Fees. These funds are unable to be expended because they do not qualify under Section 56.700, RSMo.

For distribution through the Office of Administration to counties pursuant to Section 56.700, RSMo by \$30,000 from \$162,550 to \$132,550 General Revenue Fund.

From \$900,916 to \$870,916 in total from General Revenue Fund.

From \$900,916 to \$870,916 in total for the section.

On June 10, 2011, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 184**, entitled:

"AN ACT"

To repeal sections 233.280, 537.620, and 537.635, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 184**. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for House Bill No. 184 allows public entity risk associations, significantly reliant on taxpayer dollars, to "close meetings, records and votes as authorized in chapter 610 to the extent that such meetings, records and votes pertain to actuarial analysis, loss history, claims, data, reports and similar information relating to the determination of member rates and contributions." Chapter 610 does not provide for closure of meetings, records and votes for the purposes stated. **Senate Substitute for Senate Committee Substitute for House Bill No. 184**, therefore, creates a new exception to chapter 610, diminishing government transparency, contrary to the public policy of this state. The closure of these meetings, records and votes effectively places a significant portion of the operations of these public entity risk associations beyond public scrutiny. Further, the closure of this information may limit the members of these entities from obtaining information needed to make informed decisions about their membership.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 184** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 209** entitled:

"AN ACT"

To repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for House Bill No. 209 is flawed because certain of its provisions apply to nuisances not related to crop or animal production, and because it prohibits recovery of punitive damages in nuisance actions emanating from property used for crop or animal production.

Senate Substitute for Senate Committee Substitute for House Bill No. 209 is overbroad because it goes beyond its purported intent of addressing only agricultural nuisances. Section 537.296.3 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** converts a second temporary nuisance claim to a claim for permanent nuisance, but importantly, does not contain language limiting its application to nuisances emanating from crop or animal production. By contrast, the exclusive damages provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** and the “good faith” abatement provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** are expressly limited to “crop or animal production.” By its own terms, therefore, the two lawsuit limitation in Section 537.296.3 applies to all types of nuisances and not just those relating to crop or animal production. Application of this provision beyond the purported intent of the bill, and the unintended consequences of this application, necessitates my disapproval.

Similarly, Section 537.296.5 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** makes substantive changes to standing requirements, but again does not contain language limiting it to nuisances emanating from crop or animal production. The omission of language limiting this provision to crop or animal production has the presumably unintended effect of making all manner of nuisances – those involving blasting, vehicle exhaust, noise, dust, or leaking gas tanks or oil lines, to name just a few – subject to the standing provision of this bill and making changes to nuisance law not contemplated by either the proponents or opponents of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**.

Finally, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** unacceptably prohibits punitive damages in a nuisance action arising out of crop or animal production. Under Missouri law, punitive damages are recoverable in a temporary nuisance action, i.e., where the nuisance is capable of abatement, and in a permanent nuisance action, i.e., where the nuisance cannot be abated. These damages are currently recoverable for agricultural and non-agricultural nuisances. Section 537.296.2 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** changes Missouri law to provide that the “exclusive damages” awardable in temporary and permanent nuisance actions emanating from crop or animal production are the reduction in fair rental value or fair market value, plus compensatory damages arising from a medical condition caused by the nuisance. This exclusivity provision does not contain an exception for punitive damages. On its face, therefore, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** turns back decades of Missouri common law by prohibiting the recovery of punitive damages in an agricultural nuisance action. The recovery of punitive damages is an important tool to incent the abatement of noxious activity, and must continue to be available to persons aggrieved by a nuisance arising out of crop or animal production.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 209** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 256**, entitled:

"AN ACT"

To repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

I disapprove of **Senate Committee Substitute for House Bill No. 256**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Bill No. 256 is identical to Senate Bill No. 165 which I approved on July 8, 2011. As a result, the extension of the sunset provision contained in **Senate Committee Substitute for House Bill No. 256** will become law without the necessity of approving this duplicative legislation.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 256** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430**, entitled:

"AN ACT"

To repeal sections 21.795, 70.441, 226.540, 227.107, 301.010, 301.147, 301.225, 301.559, 301.560, 301.562, 301.3084, 302.302, 302.309, 302.341, 302.700, 304.120, 304.180, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, and 577.023, RSMo, and to enact in lieu thereof forty-two new sections relating to transportation, with penalty provisions, a contingent effective date for certain sections, and an effective date for a certain section.

I disapprove of **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430**. My reasons for disapproval are as follows:

This bill would severely restrict the authority of local communities to regulate billboards. By invalidating any local billboard regulation that is contrary to "customary usage" or one that prohibits billboards in certain areas, this bill would limit local government efforts to preserve community character and promote community values. Local control of billboards ensures that billboards are placed in areas that complement local economic development and local community values. It is unfortunately all too common for a poorly located billboard to define an area in a manner anathema to the morals and values of the local community. Local elected officials can make the best decisions about the location and placement of billboards within their communities in ways that preserve local character and promote business.

In accordance with the above stated reasons for disapproval, I am returning **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

Wednesday, September 14, 2011 7

July 5, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 465** entitled:

"AN ACT"

To repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions.

I disapprove of **House Committee Substitute for House Bill No. 465**. My reasons for disapproval are as follows:

House Committee Substitute for House Bill No. 465, relating to credit unions, amends the same provisions of Chapter 370, RSMo, as Senate Substitute for Senate Bill No. 306. However, although the two bills are substantively similar, their language is not identical. Approval of both bills would create an ambiguity as to the process for appointing the director of the division of credit unions. In order to avoid the unnecessary confusion occasioned by the approval of nearly duplicative legislation, I am disapproving **House Committee Substitute for House Bill No. 465**. My approval of Senate Substitute for Senate Bill No. 306 on July 5, 2011, will result in the enactment of all of the substantive components of **House Committee Substitute for House Bill No. 465**.

In accordance with the above stated reasons for disapproval, I am returning **House Committee Substitute for House Bill No. 465** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 484**, entitled:

"AN ACT"

To amend chapter 226, RSMo, by adding thereto one new section relating to the Missouri state transit assistance program.

I disapprove of **House Bill No. 484**. My reasons for disapproval are as follows:

House Bill No. 484 is entirely contained in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 173 which I approved on July 7, 2011. As a result, the provision contained in **House Bill No. 484** will become law without the necessity of approving this duplicative legislation.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 484** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1008**, entitled:

"AN ACT"

To amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

I disapprove of **Senate Committee Substitute for House Bill No. 1008**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Bill No. 1008 authorizes the State Highways and Transportation Commission to enter into agreements with third parties to finance state road and bridge construction projects. While not the stated purpose of this provision, this could allow a private entity to finance all or a part of such project, and in the agreement set forth that it be constituted as a toll road with tolls to be used to repay such private entity. At this juncture, without a full and fair public debate on this issue, the statutory authorization of toll roads would be inappropriate.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 1008** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

HOUSE BILLS VETOED FROM THE FIRST REGULAR SESSION

The Speaker read the following House Bills vetoed from the First Regular Session: **CCS SCS HCS HB 10, SS SCS HB 184, SS SCS HB 209, SCS HB 256, CCS SS SCS HCS HB 430, HCS HB 465, HB 484 and SCS HB 1008**.

HOUSE RESOLUTION

Representative Jones (89) offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HCS HB 10, SS SCS HB 184, SS SCS HB 209, SCS HB 256, CCS SS SCS HCS HB 430, HCS HB 465, HB 484 and SCS HB 1008** when the bills were called by the Speaker.

On motion of Representative Jones (89), **House Resolution No. 2** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 3**.

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of House Committee Substitute No. 2 for Senate Bill No. 3; House Committee Substitute for Senate Substitute for Senate Bill No. 118; House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163; House Committee Substitute for Senate Bill No. 220 and Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 when the bills were so called by the President.

ADJOURNMENT

On motion of Representative Jones (89), the Veto Session of the Ninety-sixth General Assembly, First Regular Session, adjourned sine die pursuant to the Constitution.

STEVEN TILLEY
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

<u>9/6</u>	(1-6)
<u>9/9</u>	(17-54)
<u>9/15</u>	(60-61)
<u>9/21</u>	(66-67)
<u>9/29</u>	(78-79)
<u>10/5</u>	(84-87)
<u>10/12</u>	(117-118)
<u>10/27</u>	(129-130)

<u>9/7</u>	(7-11)
<u>9/13</u>	(55-56)
<u>9/19</u>	(62-63)
<u>9/22</u>	(68-70)
<u>10/3</u>	(80-81)
<u>10/6</u>	(88-114)
<u>10/19</u>	(119-121)

<u>9/8</u>	(12-16)
<u>9/14</u>	(57-59)
<u>9/20</u>	(64-65)
<u>9/23</u>	(71-77)
<u>10/4</u>	(82-83)
<u>10/7</u>	(115-116)
<u>10/20</u>	(122-128)

Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST EXTRAORDINARY SESSION

FIRST DAY, Tuesday, September 6, 2011

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

There is one God and Father of all, who is above all, and through all and in all. (Ephesians 4:6)

Almighty God, our Heavenly Creator, we pause in the midst of pressing duties and commanding needs to open our hearts in prayer unto You - Who is the source of goodness and love and truth - that the light of Your spirit may shine upon our pathway and illumine the way to righteousness, to justice and to peace.

Keep our hearts clean, our spirits courageous, and our minds clear as we face the tasks of this day. Lead us and all people to that realm where goodwill shall reign and truth shall rule and freedom shall regulate the actions of humanity.

Before this altar of prayer we dedicate ourselves anew to You and we pledge our loyalty to our state and to the well-being of our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Jeremiah W. (Jay) Nixon.

PROCLAMATION

WHEREAS, prudently designed economic development programs accelerate Missouri's economic growth through the creation of a vibrant business climate that attracts new employers to Missouri and encourages existing businesses to expand; and

WHEREAS, the Missouri Science and Innovation Reinvestment Act, Compete Missouri Initiative, data storage centers, recruitment of significant amateur sporting events and the creation of an international export hub to facilitate the expansion of Missouri exports are critical programs that capture Missouri's bold vision and competitive spirit and will spur economic expansion in all corners of this state; and

2 *Journal of the House*

WHEREAS, economic development programs must include transparency, accountability and return on investment and be implemented in a fiscally prudent manner; and

WHEREAS, economic incentives and tax credit programs must be regularly reviewed to ensure those programs are effective in addressing their purpose and provide appropriate return on investment; and

WHEREAS, implementation of tax credit reform will inject accountability, transparency and result in taxpayer funds being spent in a fiscally effective manner; and

WHEREAS, legislation to modernize Department of Revenue collection measures and a period of tax amnesty will benefit citizens of the State of Missouri and have a positive impact on general revenue; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, passed during the First Regular Session of the Ninety-Sixth General Assembly, would have moved Missouri's Presidential Primary to March, 2012; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was vetoed due to the inclusion of objectionable provisions unrelated to the moving of the date for the Presidential Primary; and

WHEREAS, a March, 2012 Presidential Primary will allow Missouri to remain a crucial state during the presidential nomination process; and

WHEREAS, the First Regular Session of the Ninety-Sixth General Assembly considered but failed to pass legislation that would have transferred supervision and control over the St. Louis Metropolitan Police Department to the City of St. Louis; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for economic development legislation, tax credit reform, tax amnesty legislation, enhancement of Department of Revenue collection measures, moving the date of the 2012 Presidential Primary and transitioning the St. Louis Metropolitan Police Department to local control are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasions that exist in the state of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m., Central Daylight Time, on September 6, 2011; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation implementing comprehensive reforms to existing tax credit programs that produces substantial savings to the state treasury through the elimination of programs, imposition or lowering of caps, establishment of program sunsets and other reforms that create efficiencies and safeguard the taxpayers' money. This matter is restricted and nothing in this Proclamation should be construed to authorize the enactment of legislation amending the five year limitation on interest costs eligible for issuance of tax credits under section 99.1205.3, RSMo.

- To enact legislation that incentivizes the development of an international air cargo hub at Lambert-St. Louis International Airport through creation of an air export tax credit for freight forwarders not to exceed a total of sixty million dollars over eight years and a real estate development tax credit not to exceed a total of three hundred million dollars over sixteen years for eligible facilities located in "gateway zones," the qualification for which will be confirmed and verified by the Department of Economic Development, and additional accountability, oversight and participation protections.
- To enact the Missouri Science and Innovation Reinvestment Act authorizing the Missouri Technology Corporation to provide grants, loans and investments in science and innovation businesses through use of funding generated by capturing a portion of any new growth in income tax revenue generated by employees working at such new and existing science and innovation businesses in Missouri.
- To enact the Compete Missouri Initiative which streamlines and updates Missouri's training programs to reflect business and workforce needs; consolidates Missouri's business development incentives into a single program with consistent definitions and processes; provides performance-based benefits with broader accessibility for small businesses and businesses in rural areas; provides additional benefits for targeted industries identified by business leaders in Missouri's Strategic Initiative for Economic Growth; provides business retention incentives for companies retaining more than 125 jobs annually; and authorizes establishment of a closing fund for competitive recruitment and retention projects.
- To enact legislation creating incentives for the construction and development of high-tech data centers that allows a high-tech data center making a minimum capital investment of thirty-seven million dollars and creating at least thirty new jobs to be exempt from certain state and local sales taxes on utilities, machinery and equipment used in the operation of the data center and on personal property and materials used in the construction of the data center, with the overall amount of the exemption limited to the positive fiscal impact to taxpayers resulting from the project.
- To enact legislation authorizing tax credits available for sports commissions, convention and visitors bureaus, certain nonprofit organizations, counties, and municipalities to offset expenses incurred in attracting amateur sporting events to the state in an amount not to exceed three million dollars annually; and to authorize a revenue-neutral contribution tax credit for donations to local sports organizations for the purposes of attracting amateur sporting events to the state in an amount not to exceed ten million dollars annually.
- To enact legislation creating administrative efficiencies and improving the Department of Revenue's ability to collect moneys owed to the State by authorizing the Department of Revenue to: 1) collect, upon referral, debts owed to other state agencies; 2) reduce its expenses associated with providing required notices; 3) recover its collection and administrative costs by retaining one percent of the amount of any local sales or use tax collected by the Department; 4) enter into a reciprocal collection and offset of indebtedness agreement with the federal government; 5) issue orders directly to debtors' employers or other sources of income to facilitate the execution of administrative judgments; and 6) issue statements indicating that no taxes or fees, for which the Department is responsible for collecting, are due, as a prerequisite for payment of certain claims or judgments from the state legal expense fund.
- To enact legislation authorizing the Department of Revenue to grant amnesty to taxpayers from the assessment or payment of penalties, additions to tax, and interest with respect to unpaid income tax and sales tax due and owing that the taxpayer voluntarily reports and pays in full between August 1, 2012 and September 30, 2012.
- To enact legislation authorizing an orderly transition in the governance of the St. Louis Metropolitan Police Department from a board of police commissioners to the City of St. Louis through a process that provides for equitable employment treatment for commissioned and civilian personnel.
- To enact legislation moving Missouri's Presidential Primary to the first Tuesday after the first Monday in March of each presidential election year.

4 *Journal of the House*

- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22nd day of August, 2011.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 6, introduced by Representative Silvey, to appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representatives Nasheed and Tilley, relating to the St. Louis police force.

HB 2, introduced by Representatives Flanigan, Allen and Kelly (24), relating to collection of state money.

HB 3, introduced by Representative Dugger, relating to the presidential primary election.

HB 4, introduced by Representative Tilley, relating to collection of state money.

HB 5, introduced by Representatives White, Davis, Crawford, Flanigan, Schoeller, Lant and Wieland, relating to property tax assessment reduction due to natural disasters.

HB 7, introduced by Representative Silvey, relating to a joint committee on disaster funding.

The following members' presence was noted: Asbury, Barnes, Berry, Brown (116), Davis, Day, Dugger, Fisher, Grisamore, Higdon, Hubbard, Kelly (24), Korman, Kratky, Lair, Lant, Lasater, Lauer, Leach, Loehner, Montecillo, Nasheed, Rizzo, Scharnhorst, Schieffer, Silvey, Taylor, White and Wieland.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, September 7, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 7.

Departmental updates.

FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.
Informational meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

HOUSE CALENDAR

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 6

HOUSE BILLS FOR SECOND READING

1 HB 1 through HB 5

2 HB 7

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

The House met pursuant to adjournment.

Representative Jones (117) in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God is our refuge and strength, a very present help in trouble, therefore we will not fear. (Psalm 46:1)

Eternal God, our Father, Who is the refuge and strength of Your people in every age and Whose creative spirit is ever calling us to new frontiers of thought and action, we pause in Your presence as we greet the coming of another day. In Your strength we would be made strong, with Your wisdom we would be made wise, and by Your grace we would be made good.

We are grateful for this day of opportunity and challenge. By clarity of thought, by a sincerity of spirit, by a genuineness of motive, and by a goodness of life, may we show ourselves ready for the responsibilities we face this hour.

Kindle in our hearts and in the hearts of all Your children a real love for peace, and may the rule of Your spirit increase in the minds of people until justice and goodwill shall be established upon this planet.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 6 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1 through **HB 5** and **HB 7** were read the second time.

MESSAGE FROM THE GOVERNOR

September 6, 2011

TO THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE NINETY-SIXTH GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon
Governor

SPECIAL MESSAGE

WHEREAS, by my Proclamation dated August 22, 2011, I convened the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

WHEREAS, Senate Committee Substitute for Senate Bill No. 54, relating to protecting children from sexual offenders, was passed during the First Regular Session of the Ninety-Sixth General Assembly; and

WHEREAS, significant confusion and concern has been raised regarding provisions contained in Senate Committee Substitute for Senate Bill No. 54 that limit electronic communications between teachers and students; and

WHEREAS, it is important that teachers and school district staff have the ability to appropriately communicate with their students without fear and uncertainty as to the application of the legal restrictions contained in Senate Committee Substitute for Senate Bill No. 54; and

WHEREAS, the State of Missouri has been affected by numerous natural disasters during 2011; and

WHEREAS, these natural disasters have destroyed numerous businesses in Joplin and elsewhere across this state; and

WHEREAS, counties are currently authorized to provide property tax relief for residential property destroyed by a natural disaster; and

WHEREAS, counties are not authorized under current law to provide similar property tax relief to commercial property destroyed by a natural disaster, thereby imposing a significant financial hardship to businesses attempting to rebuild and recover in the aftermath of a disaster; and

WHEREAS, affording counties the authority to extend property tax relief to commercial property destroyed by a natural disaster will provide much needed assistance to those business owners affected by disasters; and

WHEREAS, the need to repeal certain provisions contained in Senate Committee Substitute for Senate Bill No. 54 passed during the First Regular Session of the Ninety-Sixth General Assembly relating to electronic communications between teachers and students and to enact property tax relief for commercial property destroyed by a natural disaster are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated and limited for consideration by the General Assembly in my August 22, 2011 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary are as follows:

- To enact legislation repealing subsections 162.069.1 through 162.069.4, RSMo. This matter is limited to the repeal of subsections 162.069.1 through 162.069.4, RSMo, and should not be construed to allow or permit amendments to those subsections or to otherwise enact revised or new language in place thereof.
- To enact legislation establishing a mechanism for commercial property to be removed on a pro rata basis from the tax book if such commercial property is destroyed by a natural disaster and is unusable for commercial activity due to such destruction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6th day of September, 2011.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1 - Urban Issues
HB 2 - Ways and Means
HB 3 - Elections
HB 5 - Ways and Means
HB 6 - Budget
HB 7 - Budget

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (85), Brown (116), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Curtman, Davis, Day, Dugger, Elmer, Fisher, Fuhr, Gatschenberger, Gosen, Grisamore, Higdon, Holsman, Hubbard, Kelly (24), Koenig, Korman, Lair, Lant, Lasater, Lauer, Leach, Montecillo, Nasheed, Neth, Reiboldt, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Silvey, Solon, Spreng, Taylor, Torpey, Wells, White and Wieland.

ADJOURNMENT

On motion of Representative Jones (117), the House adjourned until 10:00 a.m., Thursday, September 8, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 8, 2011, 1:00 PM House Hearing Room 7.

Departmental updates. (Note time change from previous hearing notice.)

CORRECTED

BUDGET

Thursday, September 8, 2011, 11:30 AM House Hearing Room 3.

Public hearing will be held: HB 6, HB 7

Executive session will be held: HB 6, HB 7

Extraordinary session House Bills: HB 6, HB 7

ELECTIONS

Thursday, September 8, 2011, 3:00 PM House Hearing Room 1.

Public hearing will be held: HB 3

Executive session will be held: HB 3

FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

URBAN ISSUES

Thursday, September 8, 2011, 11:00 AM House Hearing Room 6.

Public hearing will be held: HB 1

Executive session will be held: HB 1

WAYS AND MEANS

Thursday, September 8, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 2, HB 5

Executive session will be held: HB 2, HB 5

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

THIRD DAY, THURSDAY, SEPTEMBER 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Let us love one another: for love is of God; and everyone that loveth is born of God, and knoweth God.
(1 John 4:7)*

O God, Who has guided our ancestors to build on these shores a nation of the people, by the people, and for the people and Who did give them faith to believe that they may become one in spirit with liberty and justice for all, move You within our hearts that we may live according to Your holy will and that we may be open to the leading of Your gracious spirit.

Remove from our minds all bitterness and all contempt for one another, that departing from all that divides us we may, by Your grace, arrive at a new unity of spirit that being one with You we may be one with our fellow Missourians.

May our spirit be the spirit of goodwill, may our security be the security of goodwill, and may our strength be the strength of goodwill where each may live for all and all may care for each.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 8, introduced by Representatives Flanigan, White, Davis, Lant and Reiboldt, relating to tax increment financing.

HB 9, introduced by Representative Carlson, relating to cigarette taxation.

The following members' presence was noted: Allen, Asbury, Atkins, Barnes, Bernskoetter, Berry, Black, Brandom, Brattin, Brown (50), Brown (85), Brown (116), Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Ellinger, Elmer, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Frederick, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hodges, Holsman, Hoskins, Hough, Hubbard, Hummel, Jones (89), Jones (117), Kander, Kelley (126), Kelly (24), Klippenstein, Koenig, Korman, Kratky, Lair, Lampe, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCaherty, McCann Beatty, McDonald, McGhee, McManus, McNary, McNeil, Meadows, Montecillo, Nance, Nasheed, Neth, Newman, Oxford, Phillips, Pierson, Pollock, Quinn, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Schad, Scharnhorst, Schatz, Schieber, Schoeller, Shively, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Taylor, Thomson, Torpey, Wallingford, Webber, Wells, White, Wieland, Wright and Wyatt.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 10:00 a.m., Friday, September 9, 2011.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Second Day, Wednesday, September 7, 2011, Page 9, Line 26, by inserting after the name "Day," the name "Dieckhaus"; and after the name "Fisher," the name "Flanigan."

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

INTERIM COMMITTEE ON 911 ACCESS

Tuesday, September 13, 2011, 10:00 AM House Hearing Room 3.

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

HOUSE CALENDAR

FOURTH DAY, FRIDAY, SEPTEMBER 9, 2011

HOUSE BILLS FOR SECOND READING

HB 8 and HB 9

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HB 6 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 1 - Nasheed
- 2 HB 2 - Flanigan
- 3 HCS HB 3 - Dugger
- 4 HCS HB 5 - White
- 5 HB 7 - Silvey

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FOURTH DAY, FRIDAY, SEPTEMBER 9, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will say of the Lord, He is my refuge and my fortress: my God, in Him will I trust. (Psalm 91:2)

Eternal God, Who is the Creator of the world and the everlasting sustainer of our spirits, without Whom no one is wise, no one is good - we pause in Your presence to invoke Your blessing upon us and to offer unto You the devotion of our hearts on this 9/11 memorial weekend.

Bless us as we debate this day, and may we be given wisdom to make sound decisions, strength to walk in the way of justice and freedom for all, and goodwill to motivate all we say and do.

Bless our state and make us now and always people mindful of Your favor, eager to do Your will, willing to obey Your commandments, and ready to live in Your spirit of love.

Bless our Missouri House of Representatives. Strengthen their families and all their loved ones - separated from one another as they are; and, as some journey through the valley of uncertainties, let them feel Your strengthening presence and Your comforting spirit.

May we as the representatives of this state match this devotion by a deep dedication of our own spirits to the welfare of our beloved Missouri and our nation as we remember the innocent victims of 9/11.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act an Honorary Page for the Day, to serve without compensation: Edie Bauer.

The Journal of the first day was approved as printed.

The Journal of the second day was approved as printed.

The Journal of the third day was approved as printed.

HOUSE RESOLUTION

Representative Jones (117), et al., offered House Resolution No. 4466.

SECOND READING OF HOUSE BILLS

HB 8 and **HB 9** were read the second time.

MOTION

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Hubbard	Hughes	Jones 63	Kirkton
Korman	McGhee	Pollock	Schneider	

VACANCIES: 004

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 6, relating to appropriations, was taken up by Representative Silvey.

Representative Lampe offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HB 6** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 7, relating to a joint committee on disaster funding, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 7** was ordered perfected and printed.

HB 1, relating to the St. Louis City police force, was taken up by Representative Nasheed.

Representative Nasheed offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1, Page 4, Section 84.346, Line 70, by deleting the number “**86.364**” and inserting in lieu thereof the following:

“**86.366**” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1, Page 3, Section 84.346, Line 22, by deleting the word “**initially**”; and

Further amend said bill, Page 5, Section 84.347, Line 27, by inserting after the word “**all**” the following:

“**local and municipal**”; and

Further amend said bill, page and section, Lines 30 to 32, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

On motion of Representative Nasheed, **HB 1, as amended**, was ordered perfected and printed.

HCS HB 3, relating to the presidential elections, was taken up by Representative Dugger.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Dugger, **HCS HB 3** was adopted.

On motion of Representative Dugger, **HCS HB 3** was ordered perfected and printed.

HCS HB 5, relating to property tax assessment reductions, was taken up by Representative White.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 1, Lines 2 and 3 in the title, by deleting the words, "property tax assessment reduction due to natural disasters" and inserting in lieu thereof the words, "tax changes for areas affected by natural disasters"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "**Disaster area**", a **blighted area located within a municipality for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the blighted area has sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; **or**

(b) **Predominantly within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible; **provided that, in the case of a disaster area, such information regarding financial feasibility may be provided by the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or** 13 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated

account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning January 1, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 21 of this section to the department of economic development supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after January 1, 2011, appropriations from the state disaster recovery revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas predominantly within disaster areas.

21. The initial appropriation of up to fifty percent of the state disaster recovery revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(e) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(f) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(g) The estimated redevelopment project costs;

(h) The anticipated sources of funds to pay such redevelopment project costs;

(i) Evidence of the commitments to finance such redevelopment project costs;

(j) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(k) The anticipated type and terms of the obligations to be issued;

(l) The most recent equalized assessed valuation of the property within the redevelopment project area;

(m) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(n) The general land uses to apply in the redevelopment area;

(o) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(p) The total number of full-time equivalent positions in the redevelopment area;

(q) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(r) A list of other community and economic benefits to result from the redevelopment project;

(s) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(t) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(u) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(v) A market study for the redevelopment area;

(w) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined

in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be both a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area and a portion of the estimate of the state income tax withheld by the employer on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 19 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.

Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

On motion of Representative White, **HCS HB 5, as amended**, was adopted.

On motion of Representative White, **HCS HB 5, as amended**, was ordered perfected and printed.

HB 2, relating to the collection of state moneys, was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 2, Page 5, Section 32.383, Line 5, by deleting the date, “**June 30, 2012**” and inserting in lieu thereof the date, “**February 29, 2012**”; and

Further amend said bill, Page 8, Section 32.385, Line 40, by deleting the word, “**setoff**” and inserting in lieu thereof the word, “**offset**”; and

Further amend said bill, Page 9, Section 32.385, Lines 79-80, by deleting the words, “**set off**” and inserting in lieu thereof the word, “**offset**”; and

Further amend said bill, page, section, Line 82, by deleting the word, “**the**”; and

Further amend said bill, Page 10, Section 32.430, Line 6, by deleting the number, “**143.910**” and inserting in lieu thereof the number, “**140.910**”; and

Further amend said bill, page, section, Line 7, by deleting the number, “**104.910**” and inserting in lieu thereof the number, “**140.910**”; and

Further amend said bill, Page 14, Section 140.910, Line 64, by deleting the word, “**surcharges**” and inserting in lieu thereof the word, “**charges**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

Representative Flanigan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2, Page 11, Section 32.460, Line 7, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the blighted area has sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

~~[(5)]~~ (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

~~[(6)]~~ (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

~~[(7)]~~ (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with

agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] **(9)** "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] **(10)** "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] **(11)** "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] **(12)** "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] **(13)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] **(14)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] **(15)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] **(16)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

[(16)] **(17)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;
 [(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and
 [(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:
 (a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; or

(b) **Predominantly within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible; **provided that, in the case of a disaster area, such information regarding financial feasibility may be provided by the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds

shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 or 13 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest

where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior

to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

- (a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;
- (b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;
- (c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;
- (d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;
- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning January 1, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the

businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 21 of this section to the department of economic development supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after January 1, 2011, appropriations from the state disaster recovery revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas predominantly within disaster areas.

21. The initial appropriation of up to fifty percent of the state disaster recovery revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(e) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(f) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

- (g) The estimated redevelopment project costs;
 - (h) The anticipated sources of funds to pay such redevelopment project costs;
 - (i) Evidence of the commitments to finance such redevelopment project costs;
 - (j) The anticipated type and term of the sources of funds to pay such redevelopment project costs;
 - (k) The anticipated type and terms of the obligations to be issued;
 - (l) The most recent equalized assessed valuation of the property within the redevelopment project area;
 - (m) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;
 - (n) The general land uses to apply in the redevelopment area;
 - (o) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;
 - (p) The total number of full-time equivalent positions in the redevelopment area;
 - (q) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;
 - (r) A list of other community and economic benefits to result from the redevelopment project;
 - (s) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;
 - (t) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (u) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (v) A market study for the redevelopment area;
 - (w) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be both a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area and a portion of the estimate of the state income tax withheld by the employer on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;
- (4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.
22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the

general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 19 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;

- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

- (a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

- (b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

- (8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include the following:

- (a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

- (b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area;

- (9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

- (10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

- (11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

- (12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

- (13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received

and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.

Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 2, Page 5, Section 32.087, Line 125, by inserting immediately after all of said line the following:

“32.088. 1. Beginning January 1, 2012, the possession of a statement from the department of revenue stating no tax is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under sections 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupational license or any state license required for conducting any business. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2012, in lieu of subsection 1 of this section, the director may enter into an agreement with any state agency responsible for issuing any state license for conducting any business, requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each

applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under sections 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.”; and

Further amend said bill, Page 15, Section 140.910, Line 94, by inserting after immediately after all of said line the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

On motion of Representative Flanigan, **HB 2, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2 - Fiscal Review (Fiscal Note)

HCS HB 5 - Fiscal Review (Fiscal Note)

RECESS

On motion of Representative Scharnhorst, the House recessed until 1:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

SEPTEMBER 9, 2011

HOUSE BILL FOR THIRD READING -APPROPRIATIONS

HB 6 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 7 - Silvey
 - 2 HB 1 - Nasheed
 - 3 HCS HB 3 - Dugger
 - 4 HCS HB 5, E.C. - White
 - 5 HB 2 - Flanigan
-

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HB 6, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 6** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 022

Bahr	Carlson	Colona	Hummel	Kander
Koenig	Kratky	Lasater	Leach	Marshall
McGeoghegan	McManus	Newman	Pace	Pierson
Quinn	Schieffer	Schupp	Shively	Smith 71
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Curtman	Hubbard	Hughes	Jones 63
Kirkton	Korman	McDonald	Pollock	Wright

VACANCIES: 004

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 7, relating to a joint committee on disaster funding, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 7** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 022

Bahr	Brattin	Carlson	Curtman	Hummel
Kander	Koenig	Lasater	Leach	Marshall
McManus	Newman	Pace	Pierson	Pollock
Quinn	Schieffer	Schupp	Shively	Smith 71
Still	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 008

Burlison	Hubbard	Hughes	Jones 63	Kirkton
Korman	McDonald	Walton Gray		

VACANCIES: 004

Speaker Tilley declared the bill passed.

HB 1, relating to the St. Louis City police force, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 1** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Funderburk	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Hummel
Johnson	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nasheed	Newman	Nichols
Nolte	Oxford	Pace	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 027

Berry	Brattin	Brown 85	Conway 14	Curtman
Davis	Flanigan	Fuhr	Haefner	Hinson
Houghton	Jones 89	Lasater	Leach	Leara
Marshall	McDonald	McGeoghegan	Nance	Neth
Parkinson	Phillips	Riddle	Scharnhorst	Schieber
White	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Gatschenberger	Hubbard	Hughes	Jones 63
Kirkton	Korman	Schneider	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS HB 3, relating to presidential elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Atkins Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Gosen	Hubbard	Hughes	Jones 63
Kirkton	Korman	Pace	Schneider	Walton Gray

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS HB 5, relating to property tax assessment reductions, was taken up by Representative White.

On motion of Representative White, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 009

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Schneider	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Walton Gray		

VACANCIES: 004

HB 2, relating to the collection of state moneys, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 2** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Pollock	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 4 - Economic Development

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, September 13, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

INTERIM COMMITTEE ON 911 ACCESS

Tuesday, September 13, 2011, 10:00 AM House Hearing Room 3.

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FIFTH DAY, TUESDAY, SEPTEMBER 13, 2011

The House met pursuant to adjournment.

Representative Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in the Lord and do good. (Psalm 37:3)

O God, our eternal source of wisdom, power, and love, Who is above us and within us, Who keeps the planets in their courses and yet is mindful of the faint whispers of our human hearts, before You we pause in reverence and awe, contemplating the grandeur of Your being, the greatness of Your power, and the glory of Your love.

Keep us restless until we find our rest in You, keep us dissatisfied until we find our satisfaction in You, keep us in weakness until we find our strength in You.

Into our lives come appeals for causes, some of which are good and some of which are not good. We pray that by Your spirit we may be led to make wise choices that our reactions may be good and for the good of all. Help us to keep our minds and hearts responsive to You, that Your grace may find an outlet in our lives and that we may be channels for Your spirit to establish justice between people, goodwill within homes, and peace in our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Allen, Asbury, Bahr, Barnes, Berry, Black, Bandom, Brown (85), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Davis, Day, Dieckhaus, Diehl, Dugger, Fallert, Fisher, Fitzwater, Flanigan, Franklin, Franz, Fuhr, Gosen, Grisamore, Guernsey, Harris, Higdon, Hinson, Holsman, Hough, Johnson, Jones (89), Kelley (126), Klippenstein, Korman, Lair, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, McDonald, McNeil, Montecillo, Nasheed, Nichols, Quinn, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schieffer, Shively, Silvey, Spreng, Taylor, Thomson, Wallingford, Wells, White, Wieland and Wright.

ADJOURNMENT

On motion of Representative Richardson, the House adjourned until 10:00 a.m., Wednesday, September 14, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 15, 2011, 8:30 AM House Hearing Room 7.

Department updates, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, September 14, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Discussion of veterans homes.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SIXTH DAY, WEDNESDAY, SEPTEMBER 14, 2011

The House met pursuant to adjournment.

Representative Cierpiot in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My grace is sufficient for thee: for my strength is made perfect in weakness. (II Corinthians 12:9)

Eternal and Almighty God, the light of all that is true, the strength of all that is good, and the glory of all that is beautiful, at the beginning of another day we would lift our minds and hearts unto You in prayer, seeking strength and wisdom and love sufficient for our needs.

Help us to walk in the light, to share our strength, and to build upon love that we may be ready for all our responsibilities and equal to every experience. May we always think clearly, speak confidently, and act courageously, and may the world of today be a better world than the world of yesterday because of our devotion and our work.

We pray that Your spirit may enter the hearts of all our people, that they and we may be delivered from all malice and all hatred, and may be led to do justly, to love mercy, and to walk humbly with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

RECESS

On motion of Representative Cierpiot, the House recessed until 5:00 p.m.

The hour of recess having expired, the House was called to order by Representative Jones (89).

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1**, entitled:

An act to repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 7**, entitled:

An act to repeal sections 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 8**, entitled:

An act to repeal sections 32.115, 100.286, 100.297, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.478, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.680, 135.700, 135.815, 135.825, 135.1150, 143.119, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-five new sections relating to taxation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, September 15, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 15, 2011, 8:30 AM House Hearing Room 7.

Department updates, continued.

ELEMENTARY AND SECONDARY EDUCATION

Monday, September 19, 2011, 1:00 PM House Hearing Room 6.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

HOUSE CALENDAR

SEVENTH DAY, THURSDAY, SEPTEMBER 15, 2011

SENATE BILLS FOR SECOND READING

- 1 SCS SB 1
- 2 SS SCS SB 7
- 3 SS SCS SB 8

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SEVENTH DAY, THURSDAY, SEPTEMBER 15, 2011

The House met pursuant to adjournment.

Representative Dieckhaus in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Behold, God is my salvation, I will trust and not be afraid. (Isaiah 12:2)

Almighty God, Lord of all hearts, Whom to know is life eternal, Whom to love is life glorified and Whom to serve is life filled to the full, in spirit and in truth we bow before this altar of prayer offering unto You once again the devotion of our hearts. We have an opportunity to forward Your spirit of goodwill among our citizens.

Strengthen us, O God, and renew a right and a good spirit within us - that this day may witness a renewed purpose to struggle for the right in church, city, state and county that poverty and violence and misunderstanding may disappear, and that justice and peace and understanding may appear in our state and in our own hearts.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Cook and Adam Vonder Haar.

SECOND READING OF SENATE BILLS

SCS SB 1, SS SCS SB 7 and SS SCS SB 8 were read the second time.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 1 - Elementary and Secondary Education

SS SCS SB 7 - Economic Development

SS SCS SB 8 - Economic Development

The following members' presence was noted: Allen, Anders, Atkins, Barnes, Berry, Brandom, Carter, Colona, Conway (14), Conway (27), Cookson, Cross, Curtman, Denison, Dugger, Ellinger, Entlicher, Fisher, Fitzwater, Flanigan, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Hampton, Harris, Higdon, Hodges, Hubbard, Jones (89), Kelley (126), Koenig, Korman, Kratky, Lair, Lant, Leach, Lichtenegger, Loehner, May, McGeoghegan, Montecillo, Oxford, Pace, Pollock, Quinn, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieffer, Schoeller, Silvey, Smith (71), Solon, Spreng, Taylor, Thomson, Wallingford, Walton Gray, Wells, Wright and Zerr.

ADJOURNMENT

On motion of Representative Dieckhaus, the House adjourned until 10:00 a.m., Monday, September 19, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Monday, September 19, 2011, 4:00 PM House Hearing Room 7.

Public hearing will be held: SS SCS SB 8, SS SCS SB 7

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Monday, September 19, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 1

Executive session will be held: SCS SB 1

Executive session may be held on any matter referred to the committee.

AMENDED

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

EIGHTH DAY, MONDAY, SEPTEMBER 19, 2011

The House met pursuant to adjournment.

Representative Day in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Aull, Barnes, Berry, Brandom, Brown (50), Burlison, Curtman, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Fraker, Hough, Hubbard, Johnson, Jones (117), Kelley (126), Kelly (24), Korman, Kratky, Lair, Lampe, Lauer, Leara, Loehner, Long, McDonald, McGeoghegan, McGhee, McNary, McNeil, Meadows, Montecillo, Neth, Redmon, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Schneider, Shively, Shumake, Smith (71), Solon, Stream, Swearingen, Thomson, Wallingford, Webber and Zerr.

ADJOURNMENT

On motion of Representative Day, the House adjourned until 10:00 a.m., Tuesday, September 20, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Tuesday, September 20, 2011, 1:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, September 20, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

NINTH DAY, TUESDAY, SEPTEMBER 20, 2011

The House met pursuant to adjournment.

Representative Fraker in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Unto Thee O Lord, do I lift up my soul. (Psalm 25:1)

O Spirit of the Living God, Whose still, small voice still summons us to turn aside from the feverish ways of foolish people, drop Your still dews of quietness, until our strivings cease; take from our souls the strain and stress, and let our ordered lives confess the beauty of Your peace.

In this mood we come this day and bow our hearts at this altar of prayer. May we be led into green pastures, beside still waters, and find restoration of spirit and renewal of our faith in You. Even though we walk through the valley of the shadow of death we will fear no evil for You are with us, strengthening us and supporting us.

Bless the members of this House that they may have wisdom and faith and courage for the experiences of this day, and may they never fail.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Colona, Conway (27), Cross, Day, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Franz, Gosen, Grisamore, Guernsey, Harris, Higdon, Holsman, Hubbard, Kelly (126), Kelly (24), Kratky, Lair, Lant, Lauer, Leach, Loehner, Long, McDonald, McGeoghegan, McGhee, Montecillo, Redmon, Riddle, Rizzo, Scharnhorst, Schieber, Schieffer, Schneider, Shively, Smith (71), Swearingen, Talboy, Thomson, Wallingford and Zerr.

ADJOURNMENT

On motion of Representative Fraker, the House adjourned until 10:00 a.m., Wednesday, September 21, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Wednesday, September 21, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

EXECUTIVE SESSION

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, September 21, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TENTH DAY, WEDNESDAY, SEPTEMBER 21, 2011

The House met pursuant to adjournment.

Representative Zerr in the Chair.

Prayer by Representative Billy Pat Wright.

In a letter of instruction to his young ministerial disciple, Paul tells Timothy "tough times are the way;" times in which men will be lovers of self, filled with sin and will be opposed to the truth (*II Timothy 3:1-9*). He says that "evil men and imposters" will deceive others while being deceived (*3:13*). But Paul reminds Timothy to recall how he, Paul, served and taught others and exhorts him to "continue in the things you have learned." And become convinced of the sacred writings which are able to give you wisdom.

II Timothy 3:16 reads - All scripture is inspired by God and is profitable for teaching, for reproof, for correction, for training in righteousness. Let us all in the House be reminded of our commitment to our constituents and pray for God's wisdom during this Special Session.

In Christ's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Carter, Colona, Conway (14), Conway (27), Cross, Day, Denison, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Fraker, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Harris, Higdon, Holsman, Hough, Hubbard, Jones (89), Kelley (126), Koenig, Kratky, Lair, Lant, Lauer, Leach, Leara, Long, McGeoghegan, McGhee, Montecillo, Pollock, Redmon, Rizzo, Scharnhorst, Schieber, Schieffer, Spreng, Talboy, Taylor, Thomson, Torpey, Wallingford and Wells.

ADJOURNMENT

On motion of Representative Zerr, the House adjourned until 10:00 a.m., Thursday, September 22, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Thursday, September 22, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 22, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

ELEVENTH DAY, THURSDAY, SEPTEMBER 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Great is our Lord and of great power: His understanding is infinite. (Psalm 147:5)

O God, Who reveals Yourself in numberless ways, deepen within us this day the sense of Your presence as we wait upon You in prayer. Strengthen us by Your Spirit that no danger may overwhelm us, no difficulty may overcome us, no distress may overburden us, and no discouragement may cause us to turn aside from walking with You.

May Your grace sustain us in our labor, Your hand uphold us when we fall, Your joy make our hearts glad, and Your presence give us courage to face the experiences of this hour unashamed and unafraid. Help us to grow in strength, in understanding, in never-ending goodwill; and may we ever commit our lives to goals great enough for our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 4466 - Rules

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 7 - Fiscal Review (Fiscal Note)

SUPPLEMENTAL CALENDAR

SEPTEMBER 22, 2011

SENATE BILLS FOR THIRD READING

- 1 SCS SB 1 - Kelly (24)
- 2 HCS SS SCS SB 7, (Fiscal Review 9-22-11) - Tilley

The following members' presence was noted: Allen, Asbury, Bahr, Barnes, Bernskoetter, Black, Brandom, Brown (85), Cauthorn, Colona, Conway (14), Conway (27), Cox, Crawford, Cross, Day, Denison, Dieckhaus, Dugger, Entlicher, Fisher, Flanigan, Fraker, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Harris, Higdon, Holsman, Hough, Hubbard, Hummel, Jones (89), Jones (117), Kelley (126), Kelly (24), Klippenstein, Koenig, Kratky, Lair, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, McGeoghegan, McGhee, Montecillo, Nance, Nasheed, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieber, Schneider, Schoeller, Schupp, Silvey, Smith (150), Solon, Spreng, Still, Stream, Swearingen, Talboy, Thomson, Torpey, Wallingford, Webber, Wells, White, Wieland, Wright, Wyatt and Zerr.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 9:00 a.m., Friday, September 23, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 27, 2011, 5:30 PM,

Bradford Research and Extension Center, 4968 Rangeline Road, Columbia, Missouri 65201-8973.

Executive session may be held on any matter referred to the committee.

Informational hearing.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

HOUSE CALENDAR

TWELFTH DAY, FRIDAY, SEPTEMBER 23, 2011

SENATE BILLS FOR THIRD READING

- 1 SCS SB 1 - Kelly (24)
- 2 HCS SS SCS SB 7, (Fiscal Review 9-22-11) - Tilley

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWELFTH DAY, FRIDAY, SEPTEMBER 23, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

O give thanks unto the Lord, for He is good: for His mercy endureth forever. (Psalm 107:1)

Eternal God, Who is the source of wisdom and beauty and goodness, Whose spirit ever seeks to arise within our hearts and in the hearts of people everywhere - make Yourself and Your will clearly known to us as we bow in prayer before You. We are thankful that You are everywhere - that no condition and no distance can ever separate us from You and from Your love. We thank You that Your mercies never fail and Your loving kindness never ceases.

We are grateful for our lives which are in Your hands and for Your continuous goodness which blesses us all our days. Help us to be worthy of Your gifts and to use them for Your glory and for the welfare of our state. Grant that each one of us may do our part to bring about an order of society in which there will be no injustice, no bitterness of spirit, and one in which each person may come to the fullness of life and love for which they were created.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh day were approved as printed.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 7** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SCS SB 1, relating to teacher and student communications, was taken up by Representative Kelly (24).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 042

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McGeoghegan	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McDonald
McManus	Neth	Oxford	Pace	Sater
Smith 71	Walton Gray	Webb		

VACANCIES: 004

On motion of Representative Kelly (24), **SCS SB 1** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Newman	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Barnes Colona

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McDonald
McManus	Neth	Oxford	Pace	Sater
Smith 71	Walton Gray	Webb		

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS SS SCS SB 7, relating to science and innovation reinvestment, was taken up by Representative Zerr.

Representative Asbury offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 7, Page 19, Section 348.271, Line 26, by inserting after all of said line the following:

"348.275. 1. **Public funds utilized under the provisions of sections 348.250 to 348.275 shall not be expended, paid, or granted to or on behalf of an existing or proposed research project that involves abortion services, human cloning, or prohibited human research as defined in section 196.1127.**

2. The department of economic development may draft and promulgate rules and regulations consistent with the provisions of sections 348.251 to 348.272 as are necessary or useful to carry out the provisions of those sections.

[2.] 3. No rule or portion of a rule promulgated under the authority of sections 348.251 to 348.272 shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

[3.] 4. Upon filing any proposed rule with the secretary of state, the department shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

[4.] 5. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the department may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

[5.] 6. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

[6.] 7. If the committee disapproves any rule or portion thereof, the department shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

[7.] 8. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

[8.] 9. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Asbury moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Asbury	Bahr	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Casey
Cauthorn	Conway 14	Cox	Crawford	Cross
Curtman	Davis	Dugger	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Frederick	Fuhr
Grisamore	Hampton	Harris	Houghton	Hummel
Keeney	Kelley 126	Koenig	Korman	Kratky
Lasater	Lauer	Leach	Loehner	Marshall
McCaherty	Meadows	Nance	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Smith 150	Solon	Swinger	Thomson	Wallingford
Wells	Wieland	Wyatt		

NOES: 074

Allen	Anders	Aull	Barnes	Brown 50
Carlson	Carter	Cierpiot	Colona	Conway 27
Day	Denison	Dieckhaus	Diehl	Ellinger
Elmer	Fisher	Flanigan	Franz	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Higdon
Hinson	Holsman	Hoskins	Hough	Hubbard
Jones 89	Jones 117	Kander	Kelly 24	Kirkton
Klippenstein	Lair	Lampe	Lant	Leara
Lichtenegger	Long	May	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Montecillo
Nasheed	Newman	Nichols	Pierson	Richardson
Rizzo	Scharnhorst	Schneider	Schupp	Sifton
Silvey	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Torpey	Webber	Weter
White	Wright	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McManus
Neth	Oxford	Pace	Sater	Smith 71
Walton Gray	Webb			

VACANCIES: 004

Representative Zerr moved that **HCS SS SCS SB 7** be adopted.

Which motion was defeated.

On motion of Representative Zerr, **SS SCS SB 7** was truly agreed to and finally passed by the following vote:

AYES: 094

Allen	Anders	Aull	Barnes	Berry
Brandom	Brown 50	Carlson	Carter	Cauthorn
Cierpiot	Colona	Conway 27	Cross	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Fisher
Flanigan	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Long	May	McCaherty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Newman	Nichols	Nolte
Parkinson	Pierson	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Scharnhorst	Schneider
Schoeller	Schupp	Sifton	Silvey	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Webber	Weter
White	Wright	Zerr	Mr Speaker	

NOES: 048

Asbury	Bahr	Bernskoetter	Black	Brattin
Brown 85	Burlison	Casey	Conway 14	Cox
Crawford	Curtman	Davis	Day	Dugger
Entlicher	Fallert	Fitzwater	Franklin	Fuhr
Grisamore	Hampton	Harris	Hummel	Kelley 126
Koenig	Korman	Lasater	Leach	Loehner
Marshall	Nance	Phillips	Pollock	Quinn
Riddle	Schad	Schatz	Schieber	Schieffer
Shively	Shumake	Smith 150	Swinger	Wallingford
Wells	Wieland	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McManus
Neth	Oxford	Pace	Sater	Smith 71
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

ADJOURNMENT

On motion of Representative Jones (89), the House stood in recess until such time that **SCS SB 1** and **SS SCS SB 7** are signed by the Speaker or 12:30 p.m., whichever comes first, and then stand adjourned until 10:00 a.m., Thursday, September 29, 2011.

COMMITTEE MEETINGS

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 27, 2011, 5:30 PM,

Bradford Research and Extension Center, 4968 Rangeline Road, Columbia, Missouri 65201-8973.

Executive session may be held on any matter referred to the committee.

Informational hearing.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, SEPTEMBER 29, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Open Thou mine eyes, that I may behold wondrous things out of Thy law. (Psalm 119:18)

Eternal God, Who led our ancestors through the wilderness into the promised land, we thank You for Your providential care from that day to this. You guided them with a pillow of cloud by day and a pillar of fire by night, and caused them to dwell in the secret place of the Most High. As You did bestow upon them the blessing of Your law, as You did pour out upon them the gifts of Your spirit, as You did lead them in the way of Your commandments - so teach us to follow in their footsteps that we, like them, may seek after truth, strive to deal justly, to love mercy and to walk humbly and reverently with You.

Grant, O Lord, that we may love Your law and live Your life that the benediction of Your peace and the blessing of Your presence may rest upon us and upon our state now and always. And we pause for a moment of silent prayer for the repose of the soul of our former member, Representative Ed Robb of Boone County, whose funeral is today.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Grisamore, Harris, Jones (63), Jones (89), Kelly (24), Koenig, Leach, Loehner, McGeoghegan, Montecillo, Redmon, Schieffer, Still and Talboy.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 A.M., Monday, October 3, 2011.

COMMITTEE MEETINGS

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Annual Accountability Presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, October 4, 2011, 5:30 PM Maplewood-Richmond Heights High School Auditorium,
7539 Manchester Road, Maplewood, Missouri 63143.

Executive session may be held on any matter referred to the committee.

Informational hearing.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, OCTOBER 3, 2011

The House met pursuant to adjournment.

Representative Day in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Fisher, Harris, Kelly (24), Loehner, Montecillo, Silvey and Walton Gray.

ADJOURNMENT

On motion of Representative Day, the House adjourned until 10:00 a.m., Tuesday, October 4, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Wednesday, October 5, 2011, 2:00 PM House Hearing Room 3.

Executive session will be held: SS SCS SB 8

Executive session may be held on any matter referred to the committee.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, October 4, 2011, 5:30 PM,

Maplewood-Richmond Heights High School Auditorium,
7539 Manchester Road, Maplewood, Missouri 63143.

Informational hearing.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, October 5, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to the committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, OCTOBER 4, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Allen, Barnes, Berry, Black, Conway (27), Day, Dieckhaus, Fisher, Fuhr, Gatschenberger, Guernsey, Harris, Higdon, Holsman, Hubbard, Jones (117), Kelly (24), Koenig, Korman, Lant, Leach, Loehner, Montecillo, Scharnhorst, Silvey, Solon and Wells.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, October 5, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Wednesday, October 5, 2011, 2:00 PM House Hearing Room 3.

Executive session will be held: SS SCS SB 8

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, October 6, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 5, 2011, 5:15 PM House Hearing Room 6.

Public hearing will be held: HR 4466

Executive session will be held: HR 4466

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, October 5, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to the committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, OCTOBER 5, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

Prayer by Representative Sheila Solon.

Grant us, Lord, not to be anxious about earthly things, but to love things heavenly; and even now, while we are placed among things that are passing away, to hold fast to those that shall endure; through Jesus Christ our Lord, Who lives and reigns with You and the Holy Spirit, one God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4466**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

HOUSE RESOLUTION NO. 4466

WHEREAS, Missouri has a proud history of supporting our military and strengthening our nation; and

WHEREAS, Missouri has provided strategic air support to the nation's military since World War II; and

WHEREAS, Missouri is the home of the Air Force Global Strike Command and our military men and women are at the forefront of United States national air defense; and

WHEREAS, our military personnel and their families deserve the peace of mind that they have an unparalleled multi-role fighter to keep them safe, protect our nation, and secure peace around the world; and

WHEREAS, the F-35 is critical to the modernization of our military because it will replace aging and obsolete aircraft and secure United States air superiority for the next generation; and

WHEREAS, thousands of hard working, highly educated Missourians contribute to the success of Whiteman Air Force Base and the Marine Corp Mobilization Command; and

WHEREAS, these Missourians depend on the economic impact of our military bases to support their jobs and thriving communities; and

WHEREAS, the F-35 generates more than five hundred high technology, high paying jobs for Missouri; and

WHEREAS, the global F-35 Joint Strike Fighter program already provides sustained economic impact to Missouri and its citizens of over thirty-five million dollars annually; and

WHEREAS, the United States Congress is currently reviewing its commitment to the F-35 program and its full funding; and

WHEREAS, the United States and its global partners have invested in the development of the F-35 for more than a decade; and

WHEREAS, our military is currently testing the aircraft and we are on the verge of realizing the return on this long-term investment; and

WHEREAS, to slow production would increase the marginal cost of each aircraft and curb the strategic security and economic benefits of the program:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F-35 to the State of Missouri, our military, and our national security, and support high production and full funding of the F-35 Joint Strike Fighter program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

House Committee Amendment No. 1

AMEND House Resolution No. 4466, Page 1, Lines 7-8, by deleting all of said lines.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 8 - Fiscal Review (Fiscal Note)

SUPPLEMENTAL CALENDAR

OCTOBER 5, 2011

SENATE BILL FOR THIRD READING

HCS SS SCS SB 8, (Fiscal Review 10-5-11) E.C. - Tilley

HOUSE RESOLUTION

HR 4466, HCA 1 (10-5-11) - Jones (117)

The following members' presence was noted: Allen, Bahr, Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Brown (116), Carlson, Carter, Conway (14), Conway (27), Cox, Crawford, Cross, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Fisher, Fraker, Franz, Fuhr, Funderburk, Gatschenberger, Gosen, Guernsey, Harris, Higdon, Holsman, Hough, Hubbard, Jones (117), Kelley (126), Kelly (24), Koenig, Kratky, Lant, Largent, Lasater, Lauer, Leach, Leara, Loehner, Long, McCann Beatty, McDonald, McGeoghegan, McGhee, Montecillo, Nasheed, Pollock, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieber, Schieffer, Schoeller, Silvey, Smith (71), Smith (150), Stream, Swearingen, Talboy, Thomson, Wallingford, Webber, Wells, Weter, White, Wieland, Wright and Zerr.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 9:00 a.m., Thursday, October 6, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Thursday, October 6, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

HOUSE CALENDAR

SIXTEENTH DAY, THURSDAY, OCTOBER 6, 2011

SENATE BILLS FOR THIRD READING

HCS SS SCS SB 8, (Fiscal Review 10-5-11), E.C. - Tilley

HOUSE RESOLUTIONS

HR 4466, HCA 1 (10-5-11) - Jones (117)

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, OCTOBER 6, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Ken Wilson, Pastor and Previous Missionary, North American Mission Board, Southern Baptist Convention.

Dear Heavenly Father, I thank You for allowing me this privilege to talk with You today in front of these representatives. I ask that You would lead them and guide them today in this session. Also, guide them in their everyday walk and conduct. Thank You for our great nation and great state. May Your blessings be upon us in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the twelfth, thirteenth, fourteenth, fifteenth and sixteenth days were approved as printed.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 8** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Bahr offered an objection to **SS SCS SB 7**, which was appended to the bill.

LETTER OF OBJECTION

September 23, 2011

Mr. Speaker:

My honor and duty to my sworn oath to support and defend the Missouri state Constitution compels me to raise a constitutional objection to Senate Substitute for Senate Committee Substitute for Senate Bill Seven. It is my opinion that the bill is unconstitutional for the following reasons:

1. SS/SCS for Senate Bill No. 7 violates Article I, Section 2 of the Missouri Constitution by denying equal protection under the laws of Missouri through its treatment of Missouri businesses and other taxpayers differently based on the geographic region and industries they serve.
2. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing a competitive advantage to some citizens through state supplied subsidies for the development of new enterprises at the expense of citizens who have already made investments in competing projects. The result is state sponsored diminution of their property and the state's failure to "give security" to the "gains of their own industry".
3. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing preferential and unequal treatment to some citizens, who would receive state supplied subsidies for the development of new enterprises, over other citizens who might otherwise seek development of new enterprises in competition with them in an open and free marketplace.
4. SS/SCS for Senate Bill No. 7 violates Article III, Section 36 of the Missouri Constitution, because it has the effect of "divert[ing]" money from the treasury independent of the appropriation process.
5. SS/SCS for Senate Bill No. 7 violates Article III, Section 38(a) of the Missouri Constitution, which states that "The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation..."

The potential for public benefit does not remediate the fatal flaws in this bill, for as the Missouri Supreme Court pointed out in 1987, "Accordingly, in our application of Article III, Section 38(a) of the Missouri Constitution, we have held grants with a primarily private effect to be unconstitutional, despite the possible beneficial impact upon the economy of the locality and of the state." *Curchin v. Missouri Indus. Development Bd.*, 722 SW 2d 930 (Mo: Supreme Court 1987)

6. SS/SCS for Senate Bill No. 7 violates Missouri Constitution's Article III, Section 40 prohibition of "special laws" in several ways, notably those in Section 40(30) which forbids the General Assembly from passing a local or special law where a general law can be made.

Article I, Section 2 of the Missouri Constitution provides guidance for all that the state would task itself with – it defines the role of Missouri government, what it calls its "principal office". That section was brought forward from our 1875 constitution and it was explained eloquently when introduced to the body of delegates during the 1875 Constitutional Convention:

"It [in the Bill of Rights] is then declared that the main office of government is the security of life, liberty and property - the protection of those things - not protection in the sense in which capital is employed in thousands of industries in order to render bloated one or two in some favored locality - not protection in that sense, but equal protection to all, so that every man may sit secure under the shadow of his own vine and fig tree, and have none to make him afraid." Debates of the Missouri Constitutional Convention, 1875 – Volume I, P. 430 at 24 (emph. added)

As a duly elected Representative of the great state of Missouri, I have taken an oath to support and defend the Constitution from which these principles emanate. While I have a responsibility to consider guidance from the Courts, I also have a personal responsibility to understand our Constitution and apply my understanding in the execution of my

duties. In the present instance, both the preponderance of guidance from the courts and my understanding are in agreement.

Accordingly, I conclude that Senate Substitute for Senate Committee Substitute for Senate Bill Seven is unconstitutional for the above-stated reasons and should not be agreed to or passed by this body and in the event it is finally passed by both houses of the legislature, should not be signed by the governor.

Respectfully,

/s/ Rep. Kurt M. Bahr
District 19

All other business of the House was suspended while **SS SCS SB 7** was read at length and was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 8, relating to tax credits, was taken up by Representative Tilley.

HCS SS SCS SB 8 was laid over.

Representative Grisamore assumed the Chair.

HOUSE RESOLUTION

HR 4466, with House Committee Amendment No. 1, relating to the F-35 Joint Strike Fighter Program was taken up by Representative Jones (117).

On motion of Representative Jones (117), **House Committee Amendment No. 1** was adopted.

On motion of Representative Jones (117), **HR 4466, as amended**, was adopted by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lasater

Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Pace	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 007

Carlson	May	Montecillo	Newman	Parkinson
Pierson	Swearingen			

PRESENT: 014

Colona	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	McCann Beatty	McNeil	Oxford	Schupp
Spreng	Talboy	Taylor	Walton Gray	

ABSENT WITH LEAVE: 011

Cookson	Funderburk	Higdon	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Quinn	Redmon
Webb				

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 8, relating to tax credits, was again taken up by Representative Tilley.

Representative Bahr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting after all of said line the following:

“10. The provisions of the tax credit program authorized under sections 135.350 to 135.352 shall sunset automatically on July 1, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting after all of said line the following:

“11. The provisions of the tax credit program authorized under sections 253.545 to 253.559 shall sunset automatically on July 1, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bahr moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 017

Asbury	Bahr	Brattin	Burlison	Cox
Curtman	Fitzwater	Franz	Gatschenberger	Guernsey
Keeney	Koenig	Leach	McNary	Nolte
Parkinson	Pollock			

NOES: 131

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lampe	Lant	Largent	Lasater
Lauer	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Conway 14	Cookson	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Quinn	Redmon
Webb				

VACANCIES: 004

Representative Silvey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting the following after all of said line:

“10. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 253.545 to 253.559. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the department of economic development’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting the following after all of said line:

“11. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 135.350 to 135.363. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the commission’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Sater offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 38, Section 135.1180, Line 43, by inserting at the end of said line the following:

"The cumulative amount of tax credits under this section which may be allocated to all taxpayers making eligible donations in any one fiscal year shall not exceed five million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 3** was adopted.

Representative Koenig offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 98, Section 620.1878, Line 409, by inserting after all of said section the following:

“Section 1. The amount of tax imposed on the taxable income of a corporation in section 143.071 shall be reduced to five and one half percent of Missouri taxable income beginning January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Webber raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying bill.

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

Representative Jones (89) assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty

95 *Journal of the House*

McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Conway 14	Cookson	Funderburk	Hughes	Jones 117
Klippenstein	Lair	Lichtenegger	McGhee	Nasheed
Quinn	Redmon	Richardson	Scharnhorst	Schneider
Webb				

VACANCIES: 004

On motion of Representative Koenig, **House Amendment No. 4** was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Weter				

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Funderburk	Hughes	Klippenstein	Lair
Lichtenegger	McGhee	Nasheed	Quinn	Redmon
Richardson	Scharnhorst	Webb		

VACANCIES: 004

Representative White offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, Line 9, by inserting the following after all of said line:

"137.081. 1. As used in this section, the following terms mean:

- (1) "Certificate of occupancy", the certificate, permit, or equivalent document issued by the county that permits the commercial use or occupancy of a building or structure used for commercial purposes;**
- (2) "Commercial real property", any real property assessed as utility, industrial, commercial, railroad and other real property by the assessor for property tax purposes under section 137.016;**
- (3) "Commercial real property improvement", any buildings, structures, fixtures, and similar edifice as described in subdivision (3) of section 137.010 which are on and a part of commercial real property;**
- (4) "Natural disaster", any disaster due to natural causes such as tornado, fire, flood, or earthquake;**
- (5) "County", any county or city not within a county.**

2. If a property owner makes an application under this section, any commercial real property improvement destroyed by a natural disaster shall be removed on a pro rata basis from the tax book for the current year if such property improvement is unusable due to such destruction. If such application is made before the first day of July, the county assessor shall carry out the duties of subsections 2 and 3 of this section. If such application is made on or after July first, the county board of equalization shall carry out the duties of subsections 2 and 3 of this section. In counties that are not of the first classification, if the destruction occurs after the adjournment of the county board of equalization, the county commission shall perform such duties.

3. Upon issuance of a certificate of occupancy for the improvement to a property removed from the tax book under subsection 2 of this section by the county, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section. If the property is located within a county that does not issue a certificate of occupancy, upon the determination of the assessor that the improvement is suitable for use or occupancy for commercial purposes, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section.

4. Any person claiming destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall make available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall be assessed double the value of any property fraudulently listed, in addition to any other penalties provided by law. The list shall be filed by the assessor, after the assessor has provided a copy of the list to the county collector and the board of equalization or county commission, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep it.

5. Any political subdivision may recover all loss of revenue resulting from the provisions of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section.

6. For any tax year, including 2011, this section shall become effective immediately upon the adoption of this section by the governing body of such county and shall apply to such tax year and shall remain effective until the end of the tax year in which the governing body of such county votes to repeal the provisions of this

section. Any improvement that was removed from the tax book under the provisions of this section prior to the time of repeal by the governing body of such county shall be assessed and taxed at such time as the requirements of subsection 3 of this section have been satisfied.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 5** was adopted.

Representative Schieffer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 34, Section 135.647, Lines 56 through 58, by removing said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 6**.

*House Amendment No. 1
to
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 3, by inserting after all of said line the following:

“Further amend said bill, Page 32, Section 135.630, Lines 91 through 93, by deleting all of said lines”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 6** was adopted by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Kratky
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty

McGhee	McManus	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Newman
Nichols	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 013

Cookson	Dieckhaus	Franz	Funderburk	Hughes
Klippenstein	Lair	Lichtenegger	Nasheed	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

On motion of Representative Schieffer, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Korman	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace

Parkinson	Phillips	Pierson	Pollock	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Cookson	Day	Funderburk	Hughes	Klippenstein
Koenig	Lair	Lichtenegger	McNary	Nasheed
Quinn	Redmon	Richardson	Schatz	Webb

VACANCIES: 004

Representative Solon offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 12, Section 99.1205, Line 6, by deleting the words “**or any portion thereof, engineering costs, attorney's fees, architectural and planning costs,**”; and

Further amend said bill, Page 12, Section 99.1205, Line 9, by removing the brackets around the words “attorney fees”; and

Further amend said bill, Page 12, Section 99.1205, Line 38, by inserting an opening bracket “[“ before the following: “(4) "Condemnation proceedings"”; and

Further amend said bill, Page 13, Section 99.1205, Line 43, by inserting a closing bracket “]” after the following: “section 523.250””; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

House Substitute Amendment No. 1 for House Amendment No. 7 was withdrawn.

Representative Cox offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Lines 8-12, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Solon, **House Amendment No. 7, as amended**, was adopted.

Representative Bandom offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 87, Section 620.1878, Line 165, by deleting the word “twenty” and inserting in lieu thereof the words “[twenty] **ten**”; and

Further amend said bill, Page 87, Section 620.1878, Line 166, by deleting the word “forty” and inserting in lieu thereof the words “[forty] **twenty**”; and

Further amend said bill, Page 87, Section 620.1878, Line 167, by inserting after the word “area” the words “, **two new jobs in an enhanced enterprise zone**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 6, by deleting the number, “**twenty**” and inserting in lieu thereof the number, “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Bandom, **House Amendment No. 8, as amended**, was adopted.

Representative Long offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8 Page 5, Section 67.2050, Line 5 of said page, by inserting after the word “state,” the following:

“or any utilities board thereof;”; and

Further amend said section and page, Line 17 of said page, by inserting after the word “purchase,” the following:

“lease, sale,”; and

Further amend said section and page, Line 30 of said page, by inserting after the word “may” the following:

“notwithstanding any limiting, restricting or inconsistent ordinance or charter provision of the Municipality”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 9** was adopted.

Representative Zerr offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Sections 252.545 through 253.559, Pages 56 - 64, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) "Eligible property", property located in Missouri and offered or used for residential or business purposes;

(4) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

(5) "Principal", a managing partner, general partner, or president of a taxpayer;

(6) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

(7) "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation;

(8) "**Total costs and expenses of rehabilitation**", **all costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district including, but not limited to, qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Such costs and expenses shall include, but not be limited to, rehabilitation work in progress and accrued developer fees. Provided however, that accrued developer fees shall only be considered "total costs and expenses of rehabilitation" if an agreement or other contractual document provides for the payment of such fees within no more than six years of completion of the rehabilitation.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and

section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

6. For all applications for tax credits approved on or after July 1, 2011, no more than one hundred and twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

8. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed ten million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection, shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **For all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] to 253.559. **Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits to **any other taxpayer including, but not limited to, a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners **including, but not limited to, any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked,

with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2, **5, or 8** of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2, **5, or 8** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of

economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2, **5, or 8** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development [which,]. **Such application for final approval and issuance of tax credits shall include a cost and expense certification, prepared by a licensed certified public accountant that is not an affiliate of the applicant, certifying the total costs and expenses of rehabilitation and the total amount of tax credits for which such taxpayer is eligible under sections 253.550 to 253.559. Cost and expense certifications required under this section shall separately state any accrued developer fees. No later than forty-five calendar days following receipt of a taxpayer's application for final approval and issuance of tax credits, the department of economic development shall determine, in consultation with the department of natural resources, [shall determine the final amount of eligible rehabilitation costs and expenses and] whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. If the completed rehabilitation meets such standards, the department of economic development shall, within forty-five calendar days following the receipt of the taxpayer's application for final approval and tax credit issuance, inform such taxpayer of its initial determination by letter and issue such taxpayer an initial tax credit issuance. A taxpayer receiving an initial tax credit issuance shall receive tax credit certificates in an amount equal the lesser of seventy-five percent of the total amount of tax credits for which the taxpayer is eligible under sections 253.550 to 253.559, as certified in the cost and expense certification, or the amount of tax credits approved for such project under subsection 3 of this section. Within one hundred and fifty calendar days following receipt of a taxpayer's application for final approval and tax credit issuance, the department shall determine the final amount of eligible rehabilitation costs and expenses. For a taxpayer receiving an initial tax credit issuance, no later than one hundred and fifty calendar days following receipt of such taxpayer's application for final approval and tax credit issuance, the department shall notify such taxpayer of its final determination by letter and issue such taxpayer tax credit certificates in an amount equal to the lesser of the remaining amount of tax credits for which such taxpayer is eligible to receive under sections 253.550 to 253.559, as determined by the department, or the remaining amount of tax credits for which such taxpayer was approved under subsection 3 of this section, but not issued under the initial tax credit issuance. If the department of economic development determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance is in excess of the total amount of tax credits such taxpayer is eligible to receive under sections 253.550 to 253.559, the department shall notify such taxpayer and such taxpayer shall repay the state an amount equal to such excess. For financial institutions credits authorized pursuant to sections 253.550 to [253.561] 253.559 shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. [The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates.] The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed. Taxpayers which receive tax credit certificates under sections 253.550 to 253.559, attributable to accrued developer fees shall, within six years of completion of rehabilitation, submit an additional cost and expense certification verifying the total amount of developer fees actually accrued and paid. To the extent the amount of developer fees contained in a taxpayer's cost and expense certification included with such taxpayers application for final approval and tax credit issuance exceeds the amount of developer fees actually accrued and paid, as evidenced by the additional cost and expense certification, such taxpayer shall repay to the state an amount equal to twenty-five percent of such excess.**

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount

provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.

(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.

(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.

(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.

(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.

11. By no later than January 1, 2012, the department shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 2, by deleting “252.545” and inserting in lieu thereof “253.545”; and

Further amend said amendment, Page 2, Lines 25-26, by deleting “**June 30, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 3, Lines 14, 23, and 25, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 4, Lines 5, 7, and 21, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Zerr, **House Amendment No. 10, as amended**, was adopted.

Representative Oxford offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, by inserting after said section, the following:

“143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2011**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2011**, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.

4. The proceeds derived from this section of HCS SS SCS SB 8 shall be used for the purpose of providing funds for the construction of state buildings, facilities, and projects for purposes other than higher education and for rebuilding buildings of institutions of higher education including no less than fifteen percent of the proceeds to be allocated to public community colleges, providing additions thereto or additional buildings where necessary, for land acquisition, for construction or purchase of buildings, and for planning, furnishing, equipping and landscaping such improvements and buildings. No more than thirty percent of the proceeds shall be allocated for the construction of state buildings, facilities, and projects for purposes other than higher education.”; and

Further amend title and enacting clause accordingly.

Representative Oxford moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 032

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Ellinger	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Newman

Nichols	Oxford	Pace	Pierson	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

NOES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Koenig	Korman
Kratky	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 016

Cookson	Funderburk	Hughes	Klippenstein	Lair
Lant	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Scharnhorst	Schneider	Webb
Webber				

VACANCIES: 004

Representative Korman offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 15, Section 99.1205, Line 119, by removing the brackets around the words, “for a period of five years”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) offered **House Substitute Amendment No. 1 for House Amendment No. 12.**

House Substitute Amendment No. 1
for
House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1321, Line 9, by inserting after all of said section and line the following:

"144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.

2. In each year beginning on or after January 1, 2012, but ending on or before December 31, 2013, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Learn
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Reiboldt	Riddle	Rowland	Ruzicka

Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 019

Cookson	Crawford	Funderburk	Grisamore	Hughes
Jones 117	Klippenstein	Lair	Lichtenegger	Nasheed
Nolte	Parkinson	Quinn	Redmon	Richardson
Scharnhorst	Schneider	Webb	Mr Speaker	

VACANCIES: 004

On motion of Representative Smith (150), **House Substitute Amendment No. 1 for House Amendment No. 12** was adopted.

Representative Kelly (24) offered **House Amendment No. 13**.

Representative Elmer raised a point of order that **House Amendment No. 13** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen

Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lant	Largent	Lasater	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb	Mr Speaker	

VACANCIES: 004

On motion of Representative Tilley, **HCS SS SCS SB 8, as amended**, was adopted.

On motion of Representative Tilley, **HCS SS SCS SB 8, as amended**, was read the third time and passed by the following vote:

AYES: 098

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cross	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gosen	Haefner	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Kelly 24	Koenig	Korman	Kratky	Lampe
Lant	Lauer	Leara	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee

McManus	McNary	McNeil	Meadows	Neth
Nichols	Phillips	Pierson	Reiboldt	Riddle
Rizzo	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Webber	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Asbury	Bahr	Brattin	Brown 85
Burlison	Conway 14	Cox	Curtman	Davis
Day	Dugger	Entlicher	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Hodges
Johnson	Keeney	Kelley 126	Kirkton	Largent
Lasater	Leach	Marshall	May	Molendorp
Montecillo	Nance	Newman	Oxford	Pace
Parkinson	Pollock	Rowland	Schad	Schieber
Schneider	Shumake	Swinger	Taylor	Wallingford
Walton Gray	Wells	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 103

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cross	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gosen	Guernsey	Haefner	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 63	Jones 89
Jones 117	Kander	Kelly 24	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leara	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Neth	Nichols	Phillips
Pierson	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schoeller	Schupp	Shively	Sifton	Silvey

Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webber	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 043

Anders	Asbury	Bahr	Brattin	Brown 85
Burlison	Conway 14	Cox	Curtman	Davis
Day	Dugger	Entlicher	Fuhr	Gatschenberger
Grisamore	Hampton	Hodges	Johnson	Keeney
Kelley 126	Kirkton	Lasater	Leach	Marshall
May	Molendorp	Montecillo	Nance	Newman
Oxford	Pace	Parkinson	Pollock	Schad
Schieber	Schneider	Shumake	Swinger	Taylor
Wallingford	Wells	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 1, introduced by Representatives Silvey, Tilley, Diehl, Zerr, Schoeller, Jones (89), Riddle, Holsman, Ellinger, Talboy, Kelly (24), Rizzo, Carter, Hummel, Jones (63), Bahr, Berry, Lampe, Hodges, McManus, Schieber, Haefner, Stream, Flanigan, Neth, Colona, Smith (150) and Keeney, relating to the general assembly.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, October 7, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.
Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.
Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

HOUSE CALENDAR

EIGHTEENTH DAY, FRIDAY, OCTOBER 7, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 1

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

EIGHTEENTH DAY, FRIDAY, OCTOBER 7, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 1 was read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 1 - Rules

The following members' presence was noted: Grisamore, Guernsey, Hampton, Harris, Hubbard, Kratky, Loehner, Montecillo, Scharnhorst, Smith (71), Spreng, Wallingford and Webber.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 10:00 a.m., Wednesday, October 12, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 12, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HJR 1

Executive session will be held: HJR 1

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

NINETEENTH DAY, WEDNESDAY, OCTOBER 12, 2011

The House met pursuant to adjournment.

Representative Leach in the Chair.

Prayer by Representative Phillips.

Heavenly Father, thank You for Your blessing on this legislative body.

May You continue to lead our decision making for our state and may all we do bring glory to You. In Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Funderburk offered House Resolution No. 4672.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 4672 - Rules

The following members' presence was noted: Berry, Fisher, Gosen, Grisamore, Harris, Hubbard, Korman, Kratky, Lant, Montecillo, Pollock, Rowland, Solon and Wallingford.

ADJOURNMENT

On motion of Representative Leach, the House adjourned until 10:00 a.m., Wednesday, October 19, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.
Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM Epworth Children & Family Services, Drop-In Center for Older Youth, 6900 Delmar, University City.

Public hearing and discussion of child care & any family-related topics.

Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.

Public hearing and discussion of foster & adoption care and any family-related topics.

Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.

Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 19, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HR 4672, HJR 1

Executive session will be held: HR 4672, HJR 1

Executive session may be held on any matter referred to the committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, OCTOBER 19, 2011

The House met pursuant to adjournment.

Representative Cierpiot in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

David encouraged himself in the Lord his God. (1 Samuel 30:6)

Almighty God, Whose spirit is within all of Your creation, Whose love never fails, and Whose presence is with us all our days, make us more aware of You, more responsive to Your call, more obedient to Your will, and more ready to help our fellow men and women.

Grant unto us a greater honesty of purpose, a more generous attitude toward others, and a most genuine faith in You - which will help us live unashamed before You and those who love us. When we are tempted, give us strength to overcome our temptations; when we begin to give way to discouragement, help us to find our encouragement in You; when we fail and would give up, grant us courage to try again.

May the light of truth illumine our way, may the love of life illumine our hearts, and may the life of love illumine our relationships with one another.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 10, introduced by Representatives Schoeller and Dugger, relating to statewide presidential primaries.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 8, as amended**, and requests the House to recede from its position and take up and pass **SS SCS SB 8**.

The following members' presence was noted: Barnes, Berry, Black, Colona, Conway (14), Conway (27), Crawford, Day, Denison, Dugger, Ellinger, Entlicher, Fisher, Franz, Fuhr, Gatschenberger, Guernsey, Harris, Higdon, Hinson, Hubbard, Kelly (24), Klippenstein, Kratky, Lant, Lasater, Leara, Loehner, Marshall, McDonald, Montecillo, Pollock, Quinn, Reiboldt, Rizzo, Rowland, Schad, Scharnhorst, Silvey, Smith (71), Solon, Talboy, Taylor, Torpey, Wallingford, Weter and Wright.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, October 20, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Thursday, October 20, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM,

Epworth Children & Family Services, Drop-In Center for Older Youth,
6900 Delmar, University City.

Public hearing and discussion of child care & any family-related topics.

Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.

Public hearing and discussion of foster & adoption care and any family-related topics.

Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,

Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.

Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Thursday, October 27, 2011, 1:00 PM,

Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110

Meeting is in: Troost Room.

There will be a public hearing.

RULES

Thursday, October 20, 2011, 8:45 AM House Hearing Room 6.

Public hearing will be held: HJR 1, HR 4672

Executive session will be held: HJR 1, HR 4672

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

HOUSE BILLS FOR SECOND READING

HB 10

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended (request House recede/take up and pass bill) - Tilley

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Thou wilt keep him in perfect peace, whose mind is stayed on Thee: because he trusteth in Thee. (Isaiah 26:3)

O God, our Father, Who is the creator of the world, the sustainer of life everywhere, and the companion of our way - touch our lives with spirit-hand as we come to You in this our morning prayer. Facing the tasks of this new day we pray for wisdom to make wise choices, for strength to stand firm for what is good and just for all, and for courage to walk confidently in the way of Your commandments.

We do not just pray for release from burdens, but for renewed strength to carry them; not for an escape from problems, but for an increased power to meet them and to solve them; not for less work, but for greater faith to do our work without worry.

We pray for all who are working in the cause of justice and peace in our state and in our nation. May the peace of Your presence abide in all our hearts.

We finally say "Go Cardinals!" And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the seventeenth, eighteenth, nineteenth, and twentieth days were approved as printed.

SECOND READING OF HOUSE BILL

HB 10 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 4672

WHEREAS, Missouri has an extensive history of supporting our military and strengthening our nation; and

WHEREAS, our military personnel and their families receive peace of mind that they have the F/A-18E/F Super Hornet, which is the most capable, next-generation, multi-role strike fighter in combat today, ensuring their safety, protecting our nation, and securing peace around the world; and

WHEREAS, the F/A-18E/F Super Hornet is the most capable, multi-role strike fighter in production today and will continue to provide air superiority to the United States and its allies for the next generation; and

WHEREAS, over 24,000 retirees and over 15,000 hardworking employees in Missouri contribute to the success of programs like F/A-18E/F; and

WHEREAS, in 2010, \$764 million of materials were purchased from 969 Missouri suppliers for programs such as the F/A-18E/F, further contributing to the sustainability of Missouri jobs and substantial economic impact in Missouri; and

WHEREAS, the United States invested into a multi-year procurement of F/A-18E/F Super Hornet aircraft in 2010, which will continue through 2014 and will save the taxpayers over \$818 million; and

WHEREAS, every F/A-18E/F aircraft has been delivered to our military on time and at cost, providing the only capable and affordable multi-strike fighter today; and

WHEREAS, limiting the production of the F/A-18E/F program would increase costs of the only affordable multi-strike fighter flying in combat today, effectuating adverse economic impact to Missouri:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F/A-18E/F Super Hornet program to the State of Missouri, our military, and our national security, and to support the continued production and full funding of the F/A-18E/F program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 1**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**SUPPLEMENTAL CALENDAR
OCTOBER 20, 2011**

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 1 - Silvey

HOUSE RESOLUTION

HR 4672 - Funderburk

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended, relating to tax credits, was taken up by Representative Tilley.

Representative Tilley moved that the House refuse to recede from its position on **HCS SS SCS SB 8, as amended**, and request the Senate to grant the House a conference.

Which motion was adopted.

MOTION

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 120

Allen	Anders	Aull	Bahr	Barnes
Berry	Black	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Hampton	Harris	Higdon	Hinson
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Talboy
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 009

Atkins	Carlson	Conway 27	Kratky	Pierson
Schupp	Swinger	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 030

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Grisamore	Haefner	Hodges

Holsman	Hoskins	Hubbard	Hughes	Jones 63
Lair	Lampe	Lichtenegger	Marshall	Meadows
Nasheed	Neth	Newman	Riddle	Ruzicka
Sater	Swearingen	Thomson	Webb	Zerr

VACANCIES: 004

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SB 8: Representatives Tilley, Diehl, Zerr, Kelly (24) and Webber

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 1, relating to legislative review of tax credits, was taken up by Representative Silvey.

Representative Oxford offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HCS HJR 1** was adopted by the following vote:

AYES: 101

Allen	Anders	Aull	Barnes	Black
Brown 85	Brown 116	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Lant
Largent	Lauer	Leara	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Talboy	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 025

Atkins	Bahr	Berry	Carlson	Kirkton
Koenig	Kratky	Lasater	Leach	May
McCann Beatty	McDonald	McNeil	Nance	Nichols
Oxford	Pace	Pierson	Schieber	Schupp
Smith 71	Spreng	Swinger	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Franz	Grisamore
Haefner	Hodges	Holsman	Hoskins	Hubbard
Hughes	Jones 63	Lair	Lampe	Lichtenegger
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schneider	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

On motion of Representative Silvey, **HCS HJR 1** was ordered perfected and printed.

HOUSE RESOLUTION

HR 4672, relating to the Super Hornet aircraft program, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HR 4672** was adopted by the following vote:

AYES: 125

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lant	Largent	Lasater
Lauer	Leach	Leara	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still

Stream	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Grisamore	Haefner
Hodges	Holsman	Hoskins	Hubbard	Hughes
Jones 63	Lair	Lampe	Lichtenegger	Loehner
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schad	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 1 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 10 - Rules

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 1** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 11:00 a.m., Thursday, October 27, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM,
Epworth Children and Family Services, Drop-In Center for Older Youth,
6900 Delmar, University City.
Public hearing and discussion of child care and any family related topics.
Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.
Public hearing and discussion of foster and adoption care and any family-related topics.
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.
Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Thursday, October 27, 2011, 1:00 PM,
Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110.
Meeting is in: Troost Room.
There will be public hearing.

HOUSE CALENDAR

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 1 - Silvey

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended (House refuses to recede/request conference) - Tilley

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

The House met pursuant to adjournment.

Representative Grisamore in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Be strong and of a good courage; be not afraid, neither be thou dismayed; for the Lord thy God is with thee whithersoever thou goest. (Joshua 1:9)

O God of all goodness and grace, bless us as we lift our spirits unto You in prayer. Make us increasingly aware of Your presence as in this moment we close our eyes and open our hearts unto You. Help us to meet our experiences this day with a singing faith, a strong courage, and a steadfast love.

When disappointments come, when discouragements would shut us in and threaten to shut us out, when the clouds of distress hover over us, give us strength to launch out into the duties of each day - not understanding all that is happening - but in the midst of it all remaining steady and serene, masters of ourselves and servants of Yours.

Give us such a confidence in Your sustaining grace that no weakness of our own may cause us to lose faith and no shortcoming may make us give way to undue anxiety. In all things, by all ways, through all experiences keep us faithful that our consciences may be clear, our hearts clean, and our spirits confident.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was led by Kennedy, Sydney and Kellen Merrell, children of Kristen Merrell, Missouri's 2011 Teacher of the Year, Lee's Summit R-7, Lee's Summit, Missouri.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kennedy Merrell, Sydney Merrell and Kellen Merrell.

The following members' presence was noted: Barnes, Colona, Conway (27), Day, Franklin, Fuhr, Harris, Kelley (126), Kelly (24), Kratky, Montecillo, Rizzo, Schad, Scharnhorst, Schupp, Talboy, Taylor, and Wallingford.

ADJOURNMENT

On motion of Representative Grisamore, the House adjourned.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.
Public hearing and discussion of foster & adoption care and any family-related topics.
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.
Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Annual accountability presentation by MoDOT Director Kevin Keith.
Highway namings.

AMENDED

<u>9/6</u>	(1-6)
<u>9/9</u>	(17-54)
<u>9/15</u>	(60-61)
<u>9/21</u>	(66-67)
<u>9/29</u>	(78-79)
<u>10/5</u>	(84-87)
<u>10/12</u>	(117-118)
<u>10/27</u>	(129-130)

<u>9/7</u>	(7-11)
<u>9/13</u>	(55-56)
<u>9/19</u>	(62-63)
<u>9/22</u>	(68-70)
<u>10/3</u>	(80-81)
<u>10/6</u>	(88-114)
<u>10/19</u>	(119-121)

<u>9/8</u>	(12-16)
<u>9/14</u>	(57-59)
<u>9/20</u>	(64-65)
<u>9/23</u>	(71-77)
<u>10/4</u>	(82-83)
<u>10/7</u>	(115-116)
<u>10/20</u>	(122-128)

Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST EXTRAORDINARY SESSION

FIRST DAY, Tuesday, September 6, 2011

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

There is one God and Father of all, who is above all, and through all and in all. (Ephesians 4:6)

Almighty God, our Heavenly Creator, we pause in the midst of pressing duties and commanding needs to open our hearts in prayer unto You - Who is the source of goodness and love and truth - that the light of Your spirit may shine upon our pathway and illumine the way to righteousness, to justice and to peace.

Keep our hearts clean, our spirits courageous, and our minds clear as we face the tasks of this day. Lead us and all people to that realm where goodwill shall reign and truth shall rule and freedom shall regulate the actions of humanity.

Before this altar of prayer we dedicate ourselves anew to You and we pledge our loyalty to our state and to the well-being of our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Jeremiah W. (Jay) Nixon.

PROCLAMATION

WHEREAS, prudently designed economic development programs accelerate Missouri's economic growth through the creation of a vibrant business climate that attracts new employers to Missouri and encourages existing businesses to expand; and

WHEREAS, the Missouri Science and Innovation Reinvestment Act, Compete Missouri Initiative, data storage centers, recruitment of significant amateur sporting events and the creation of an international export hub to facilitate the expansion of Missouri exports are critical programs that capture Missouri's bold vision and competitive spirit and will spur economic expansion in all corners of this state; and

2 *Journal of the House*

WHEREAS, economic development programs must include transparency, accountability and return on investment and be implemented in a fiscally prudent manner; and

WHEREAS, economic incentives and tax credit programs must be regularly reviewed to ensure those programs are effective in addressing their purpose and provide appropriate return on investment; and

WHEREAS, implementation of tax credit reform will inject accountability, transparency and result in taxpayer funds being spent in a fiscally effective manner; and

WHEREAS, legislation to modernize Department of Revenue collection measures and a period of tax amnesty will benefit citizens of the State of Missouri and have a positive impact on general revenue; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, passed during the First Regular Session of the Ninety-Sixth General Assembly, would have moved Missouri's Presidential Primary to March, 2012; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was vetoed due to the inclusion of objectionable provisions unrelated to the moving of the date for the Presidential Primary; and

WHEREAS, a March, 2012 Presidential Primary will allow Missouri to remain a crucial state during the presidential nomination process; and

WHEREAS, the First Regular Session of the Ninety-Sixth General Assembly considered but failed to pass legislation that would have transferred supervision and control over the St. Louis Metropolitan Police Department to the City of St. Louis; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for economic development legislation, tax credit reform, tax amnesty legislation, enhancement of Department of Revenue collection measures, moving the date of the 2012 Presidential Primary and transitioning the St. Louis Metropolitan Police Department to local control are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasions that exist in the state of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m., Central Daylight Time, on September 6, 2011; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation implementing comprehensive reforms to existing tax credit programs that produces substantial savings to the state treasury through the elimination of programs, imposition or lowering of caps, establishment of program sunsets and other reforms that create efficiencies and safeguard the taxpayers' money. This matter is restricted and nothing in this Proclamation should be construed to authorize the enactment of legislation amending the five year limitation on interest costs eligible for issuance of tax credits under section 99.1205.3, RSMo.

- To enact legislation that incentivizes the development of an international air cargo hub at Lambert-St. Louis International Airport through creation of an air export tax credit for freight forwarders not to exceed a total of sixty million dollars over eight years and a real estate development tax credit not to exceed a total of three hundred million dollars over sixteen years for eligible facilities located in "gateway zones," the qualification for which will be confirmed and verified by the Department of Economic Development, and additional accountability, oversight and participation protections.
- To enact the Missouri Science and Innovation Reinvestment Act authorizing the Missouri Technology Corporation to provide grants, loans and investments in science and innovation businesses through use of funding generated by capturing a portion of any new growth in income tax revenue generated by employees working at such new and existing science and innovation businesses in Missouri.
- To enact the Compete Missouri Initiative which streamlines and updates Missouri's training programs to reflect business and workforce needs; consolidates Missouri's business development incentives into a single program with consistent definitions and processes; provides performance-based benefits with broader accessibility for small businesses and businesses in rural areas; provides additional benefits for targeted industries identified by business leaders in Missouri's Strategic Initiative for Economic Growth; provides business retention incentives for companies retaining more than 125 jobs annually; and authorizes establishment of a closing fund for competitive recruitment and retention projects.
- To enact legislation creating incentives for the construction and development of high-tech data centers that allows a high-tech data center making a minimum capital investment of thirty-seven million dollars and creating at least thirty new jobs to be exempt from certain state and local sales taxes on utilities, machinery and equipment used in the operation of the data center and on personal property and materials used in the construction of the data center, with the overall amount of the exemption limited to the positive fiscal impact to taxpayers resulting from the project.
- To enact legislation authorizing tax credits available for sports commissions, convention and visitors bureaus, certain nonprofit organizations, counties, and municipalities to offset expenses incurred in attracting amateur sporting events to the state in an amount not to exceed three million dollars annually; and to authorize a revenue-neutral contribution tax credit for donations to local sports organizations for the purposes of attracting amateur sporting events to the state in an amount not to exceed ten million dollars annually.
- To enact legislation creating administrative efficiencies and improving the Department of Revenue's ability to collect moneys owed to the State by authorizing the Department of Revenue to: 1) collect, upon referral, debts owed to other state agencies; 2) reduce its expenses associated with providing required notices; 3) recover its collection and administrative costs by retaining one percent of the amount of any local sales or use tax collected by the Department; 4) enter into a reciprocal collection and offset of indebtedness agreement with the federal government; 5) issue orders directly to debtors' employers or other sources of income to facilitate the execution of administrative judgments; and 6) issue statements indicating that no taxes or fees, for which the Department is responsible for collecting, are due, as a prerequisite for payment of certain claims or judgments from the state legal expense fund.
- To enact legislation authorizing the Department of Revenue to grant amnesty to taxpayers from the assessment or payment of penalties, additions to tax, and interest with respect to unpaid income tax and sales tax due and owing that the taxpayer voluntarily reports and pays in full between August 1, 2012 and September 30, 2012.
- To enact legislation authorizing an orderly transition in the governance of the St. Louis Metropolitan Police Department from a board of police commissioners to the City of St. Louis through a process that provides for equitable employment treatment for commissioned and civilian personnel.
- To enact legislation moving Missouri's Presidential Primary to the first Tuesday after the first Monday in March of each presidential election year.

4 *Journal of the House*

- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22nd day of August, 2011.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 6, introduced by Representative Silvey, to appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representatives Nasheed and Tilley, relating to the St. Louis police force.

HB 2, introduced by Representatives Flanigan, Allen and Kelly (24), relating to collection of state money.

HB 3, introduced by Representative Dugger, relating to the presidential primary election.

HB 4, introduced by Representative Tilley, relating to collection of state money.

HB 5, introduced by Representatives White, Davis, Crawford, Flanigan, Schoeller, Lant and Wieland, relating to property tax assessment reduction due to natural disasters.

HB 7, introduced by Representative Silvey, relating to a joint committee on disaster funding.

The following members' presence was noted: Asbury, Barnes, Berry, Brown (116), Davis, Day, Dugger, Fisher, Grisamore, Higdon, Hubbard, Kelly (24), Korman, Kratky, Lair, Lant, Lasater, Lauer, Leach, Loehner, Montecillo, Nasheed, Rizzo, Scharnhorst, Schieffer, Silvey, Taylor, White and Wieland.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, September 7, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 7.

Departmental updates.

FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.
Informational meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

HOUSE CALENDAR

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 6

HOUSE BILLS FOR SECOND READING

1 HB 1 through HB 5

2 HB 7

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

The House met pursuant to adjournment.

Representative Jones (117) in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God is our refuge and strength, a very present help in trouble, therefore we will not fear. (Psalm 46:1)

Eternal God, our Father, Who is the refuge and strength of Your people in every age and Whose creative spirit is ever calling us to new frontiers of thought and action, we pause in Your presence as we greet the coming of another day. In Your strength we would be made strong, with Your wisdom we would be made wise, and by Your grace we would be made good.

We are grateful for this day of opportunity and challenge. By clarity of thought, by a sincerity of spirit, by a genuineness of motive, and by a goodness of life, may we show ourselves ready for the responsibilities we face this hour.

Kindle in our hearts and in the hearts of all Your children a real love for peace, and may the rule of Your spirit increase in the minds of people until justice and goodwill shall be established upon this planet.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 6 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1 through **HB 5** and **HB 7** were read the second time.

MESSAGE FROM THE GOVERNOR

September 6, 2011

TO THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE NINETY-SIXTH GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon
Governor

SPECIAL MESSAGE

WHEREAS, by my Proclamation dated August 22, 2011, I convened the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

WHEREAS, Senate Committee Substitute for Senate Bill No. 54, relating to protecting children from sexual offenders, was passed during the First Regular Session of the Ninety-Sixth General Assembly; and

WHEREAS, significant confusion and concern has been raised regarding provisions contained in Senate Committee Substitute for Senate Bill No. 54 that limit electronic communications between teachers and students; and

WHEREAS, it is important that teachers and school district staff have the ability to appropriately communicate with their students without fear and uncertainty as to the application of the legal restrictions contained in Senate Committee Substitute for Senate Bill No. 54; and

WHEREAS, the State of Missouri has been affected by numerous natural disasters during 2011; and

WHEREAS, these natural disasters have destroyed numerous businesses in Joplin and elsewhere across this state; and

WHEREAS, counties are currently authorized to provide property tax relief for residential property destroyed by a natural disaster; and

WHEREAS, counties are not authorized under current law to provide similar property tax relief to commercial property destroyed by a natural disaster, thereby imposing a significant financial hardship to businesses attempting to rebuild and recover in the aftermath of a disaster; and

WHEREAS, affording counties the authority to extend property tax relief to commercial property destroyed by a natural disaster will provide much needed assistance to those business owners affected by disasters; and

WHEREAS, the need to repeal certain provisions contained in Senate Committee Substitute for Senate Bill No. 54 passed during the First Regular Session of the Ninety-Sixth General Assembly relating to electronic communications between teachers and students and to enact property tax relief for commercial property destroyed by a natural disaster are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated and limited for consideration by the General Assembly in my August 22, 2011 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary are as follows:

- To enact legislation repealing subsections 162.069.1 through 162.069.4, RSMo. This matter is limited to the repeal of subsections 162.069.1 through 162.069.4, RSMo, and should not be construed to allow or permit amendments to those subsections or to otherwise enact revised or new language in place thereof.
- To enact legislation establishing a mechanism for commercial property to be removed on a pro rata basis from the tax book if such commercial property is destroyed by a natural disaster and is unusable for commercial activity due to such destruction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6th day of September, 2011.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1 - Urban Issues
HB 2 - Ways and Means
HB 3 - Elections
HB 5 - Ways and Means
HB 6 - Budget
HB 7 - Budget

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (85), Brown (116), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Curtman, Davis, Day, Dugger, Elmer, Fisher, Fuhr, Gatschenberger, Gosen, Grisamore, Higdon, Holsman, Hubbard, Kelly (24), Koenig, Korman, Lair, Lant, Lasater, Lauer, Leach, Montecillo, Nasheed, Neth, Reiboldt, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Silvey, Solon, Spreng, Taylor, Torpey, Wells, White and Wieland.

ADJOURNMENT

On motion of Representative Jones (117), the House adjourned until 10:00 a.m., Thursday, September 8, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 8, 2011, 1:00 PM House Hearing Room 7.

Departmental updates. (Note time change from previous hearing notice.)

CORRECTED

BUDGET

Thursday, September 8, 2011, 11:30 AM House Hearing Room 3.

Public hearing will be held: HB 6, HB 7

Executive session will be held: HB 6, HB 7

Extraordinary session House Bills: HB 6, HB 7

ELECTIONS

Thursday, September 8, 2011, 3:00 PM House Hearing Room 1.

Public hearing will be held: HB 3

Executive session will be held: HB 3

FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

URBAN ISSUES

Thursday, September 8, 2011, 11:00 AM House Hearing Room 6.

Public hearing will be held: HB 1

Executive session will be held: HB 1

WAYS AND MEANS

Thursday, September 8, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 2, HB 5

Executive session will be held: HB 2, HB 5

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

THIRD DAY, THURSDAY, SEPTEMBER 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Let us love one another: for love is of God; and everyone that loveth is born of God, and knoweth God.
(1 John 4:7)*

O God, Who has guided our ancestors to build on these shores a nation of the people, by the people, and for the people and Who did give them faith to believe that they may become one in spirit with liberty and justice for all, move You within our hearts that we may live according to Your holy will and that we may be open to the leading of Your gracious spirit.

Remove from our minds all bitterness and all contempt for one another, that departing from all that divides us we may, by Your grace, arrive at a new unity of spirit that being one with You we may be one with our fellow Missourians.

May our spirit be the spirit of goodwill, may our security be the security of goodwill, and may our strength be the strength of goodwill where each may live for all and all may care for each.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 8, introduced by Representatives Flanigan, White, Davis, Lant and Reiboldt, relating to tax increment financing.

HB 9, introduced by Representative Carlson, relating to cigarette taxation.

The following members' presence was noted: Allen, Asbury, Atkins, Barnes, Bernskoetter, Berry, Black, Brandom, Brattin, Brown (50), Brown (85), Brown (116), Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Ellinger, Elmer, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Frederick, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hodges, Holsman, Hoskins, Hough, Hubbard, Hummel, Jones (89), Jones (117), Kander, Kelley (126), Kelly (24), Klippenstein, Koenig, Korman, Kratky, Lair, Lampe, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCaherty, McCann Beatty, McDonald, McGhee, McManus, McNary, McNeil, Meadows, Montecillo, Nance, Nasheed, Neth, Newman, Oxford, Phillips, Pierson, Pollock, Quinn, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Schad, Scharnhorst, Schatz, Schieber, Schoeller, Shively, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Taylor, Thomson, Torpey, Wallingford, Webber, Wells, White, Wieland, Wright and Wyatt.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 10:00 a.m., Friday, September 9, 2011.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Second Day, Wednesday, September 7, 2011, Page 9, Line 26, by inserting after the name "Day," the name "Dieckhaus"; and after the name "Fisher," the name "Flanigan."

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

INTERIM COMMITTEE ON 911 ACCESS

Tuesday, September 13, 2011, 10:00 AM House Hearing Room 3.

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

HOUSE CALENDAR

FOURTH DAY, FRIDAY, SEPTEMBER 9, 2011

HOUSE BILLS FOR SECOND READING

HB 8 and HB 9

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HB 6 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 1 - Nasheed
- 2 HB 2 - Flanigan
- 3 HCS HB 3 - Dugger
- 4 HCS HB 5 - White
- 5 HB 7 - Silvey

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FOURTH DAY, FRIDAY, SEPTEMBER 9, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will say of the Lord, He is my refuge and my fortress: my God, in Him will I trust. (Psalm 91:2)

Eternal God, Who is the Creator of the world and the everlasting sustainer of our spirits, without Whom no one is wise, no one is good - we pause in Your presence to invoke Your blessing upon us and to offer unto You the devotion of our hearts on this 9/11 memorial weekend.

Bless us as we debate this day, and may we be given wisdom to make sound decisions, strength to walk in the way of justice and freedom for all, and goodwill to motivate all we say and do.

Bless our state and make us now and always people mindful of Your favor, eager to do Your will, willing to obey Your commandments, and ready to live in Your spirit of love.

Bless our Missouri House of Representatives. Strengthen their families and all their loved ones - separated from one another as they are; and, as some journey through the valley of uncertainties, let them feel Your strengthening presence and Your comforting spirit.

May we as the representatives of this state match this devotion by a deep dedication of our own spirits to the welfare of our beloved Missouri and our nation as we remember the innocent victims of 9/11.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act an Honorary Page for the Day, to serve without compensation: Edie Bauer.

The Journal of the first day was approved as printed.

The Journal of the second day was approved as printed.

The Journal of the third day was approved as printed.

HOUSE RESOLUTION

Representative Jones (117), et al., offered House Resolution No. 4466.

SECOND READING OF HOUSE BILLS

HB 8 and **HB 9** were read the second time.

MOTION

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Hubbard	Hughes	Jones 63	Kirkton
Korman	McGhee	Pollock	Schneider	

VACANCIES: 004

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 6, relating to appropriations, was taken up by Representative Silvey.

Representative Lampe offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HB 6** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 7, relating to a joint committee on disaster funding, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 7** was ordered perfected and printed.

HB 1, relating to the St. Louis City police force, was taken up by Representative Nasheed.

Representative Nasheed offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1, Page 4, Section 84.346, Line 70, by deleting the number “**86.364**” and inserting in lieu thereof the following:

“**86.366**” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1, Page 3, Section 84.346, Line 22, by deleting the word “**initially**”; and

Further amend said bill, Page 5, Section 84.347, Line 27, by inserting after the word “**all**” the following:

“**local and municipal**”; and

Further amend said bill, page and section, Lines 30 to 32, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

On motion of Representative Nasheed, **HB 1, as amended**, was ordered perfected and printed.

HCS HB 3, relating to the presidential elections, was taken up by Representative Dugger.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Dugger, **HCS HB 3** was adopted.

On motion of Representative Dugger, **HCS HB 3** was ordered perfected and printed.

HCS HB 5, relating to property tax assessment reductions, was taken up by Representative White.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 1, Lines 2 and 3 in the title, by deleting the words, "property tax assessment reduction due to natural disasters" and inserting in lieu thereof the words, "tax changes for areas affected by natural disasters"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "**Disaster area**", a **blighted area located within a municipality for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the blighted area has sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; **or**

(b) **Predominantly within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible; **provided that, in the case of a disaster area, such information regarding financial feasibility may be provided by the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or** 13 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated

account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning January 1, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 21 of this section to the department of economic development supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after January 1, 2011, appropriations from the state disaster recovery revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas predominantly within disaster areas.

21. The initial appropriation of up to fifty percent of the state disaster recovery revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(e) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(f) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(g) The estimated redevelopment project costs;

(h) The anticipated sources of funds to pay such redevelopment project costs;

(i) Evidence of the commitments to finance such redevelopment project costs;

(j) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(k) The anticipated type and terms of the obligations to be issued;

(l) The most recent equalized assessed valuation of the property within the redevelopment project area;

(m) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(n) The general land uses to apply in the redevelopment area;

(o) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(p) The total number of full-time equivalent positions in the redevelopment area;

(q) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(r) A list of other community and economic benefits to result from the redevelopment project;

(s) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(t) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(u) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(v) A market study for the redevelopment area;

(w) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined

in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be both a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area and a portion of the estimate of the state income tax withheld by the employer on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 19 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.

Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

On motion of Representative White, **HCS HB 5, as amended**, was adopted.

On motion of Representative White, **HCS HB 5, as amended**, was ordered perfected and printed.

HB 2, relating to the collection of state moneys, was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 2, Page 5, Section 32.383, Line 5, by deleting the date, “**June 30, 2012**” and inserting in lieu thereof the date, “**February 29, 2012**”; and

Further amend said bill, Page 8, Section 32.385, Line 40, by deleting the word, “**setoff**” and inserting in lieu thereof the word, “**offset**”; and

Further amend said bill, Page 9, Section 32.385, Lines 79-80, by deleting the words, “**set off**” and inserting in lieu thereof the word, “**offset**”; and

Further amend said bill, page, section, Line 82, by deleting the word, “**the**”; and

Further amend said bill, Page 10, Section 32.430, Line 6, by deleting the number, “**143.910**” and inserting in lieu thereof the number, “**140.910**”; and

Further amend said bill, page, section, Line 7, by deleting the number, “**104.910**” and inserting in lieu thereof the number, “**140.910**”; and

Further amend said bill, Page 14, Section 140.910, Line 64, by deleting the word, “**surcharges**” and inserting in lieu thereof the word, “**charges**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

Representative Flanigan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2, Page 11, Section 32.460, Line 7, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the blighted area has sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

~~[(5)]~~ (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

~~[(6)]~~ (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

~~[(7)]~~ (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with

agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;
 [(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and
 [(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:
 (a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; **or**

(b) **Predominantly within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible; **provided that, in the case of a disaster area, such information regarding financial feasibility may be provided by the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds

shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or** 13 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest

where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior

to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

- (a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;
- (b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;
- (c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;
- (d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;
- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning January 1, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the

businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 21 of this section to the department of economic development supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after January 1, 2011, appropriations from the state disaster recovery revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas predominantly within disaster areas.

21. The initial appropriation of up to fifty percent of the state disaster recovery revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(e) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(f) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

- (g) The estimated redevelopment project costs;
 - (h) The anticipated sources of funds to pay such redevelopment project costs;
 - (i) Evidence of the commitments to finance such redevelopment project costs;
 - (j) The anticipated type and term of the sources of funds to pay such redevelopment project costs;
 - (k) The anticipated type and terms of the obligations to be issued;
 - (l) The most recent equalized assessed valuation of the property within the redevelopment project area;
 - (m) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;
 - (n) The general land uses to apply in the redevelopment area;
 - (o) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;
 - (p) The total number of full-time equivalent positions in the redevelopment area;
 - (q) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;
 - (r) A list of other community and economic benefits to result from the redevelopment project;
 - (s) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;
 - (t) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (u) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (v) A market study for the redevelopment area;
 - (w) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be both a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area and a portion of the estimate of the state income tax withheld by the employer on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;
- (4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.
22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the

general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 19 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received

and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.

Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 2, Page 5, Section 32.087, Line 125, by inserting immediately after all of said line the following:

“32.088. 1. Beginning January 1, 2012, the possession of a statement from the department of revenue stating no tax is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under sections 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupational license or any state license required for conducting any business. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2012, in lieu of subsection 1 of this section, the director may enter into an agreement with any state agency responsible for issuing any state license for conducting any business, requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each

applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under sections 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.”; and

Further amend said bill, Page 15, Section 140.910, Line 94, by inserting after immediately after all of said line the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

On motion of Representative Flanigan, **HB 2, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2 - Fiscal Review (Fiscal Note)

HCS HB 5 - Fiscal Review (Fiscal Note)

RECESS

On motion of Representative Scharnhorst, the House recessed until 1:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

SEPTEMBER 9, 2011

HOUSE BILL FOR THIRD READING -APPROPRIATIONS

HB 6 - Silvey

HOUSE BILLS FOR THIRD READING

- 1 HB 7 - Silvey
 - 2 HB 1 - Nasheed
 - 3 HCS HB 3 - Dugger
 - 4 HCS HB 5, E.C. - White
 - 5 HB 2 - Flanigan
-

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HB 6, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 6** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 022

Bahr	Carlson	Colona	Hummel	Kander
Koenig	Kratky	Lasater	Leach	Marshall
McGeoghegan	McManus	Newman	Pace	Pierson
Quinn	Schieffer	Schupp	Shively	Smith 71
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Curtman	Hubbard	Hughes	Jones 63
Kirkton	Korman	McDonald	Pollock	Wright

VACANCIES: 004

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 7, relating to a joint committee on disaster funding, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 7** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 022

Bahr	Brattin	Carlson	Curtman	Hummel
Kander	Koenig	Lasater	Leach	Marshall
McManus	Newman	Pace	Pierson	Pollock
Quinn	Schieffer	Schupp	Shively	Smith 71
Still	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 008

Burlison	Hubbard	Hughes	Jones 63	Kirkton
Korman	McDonald	Walton Gray		

VACANCIES: 004

Speaker Tilley declared the bill passed.

HB 1, relating to the St. Louis City police force, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 1** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Funderburk	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Hummel
Johnson	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nasheed	Newman	Nichols
Nolte	Oxford	Pace	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 027

Berry	Brattin	Brown 85	Conway 14	Curtman
Davis	Flanigan	Fuhr	Haefner	Hinson
Houghton	Jones 89	Lasater	Leach	Leara
Marshall	McDonald	McGeoghegan	Nance	Neth
Parkinson	Phillips	Riddle	Scharnhorst	Schieber
White	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Gatschenberger	Hubbard	Hughes	Jones 63
Kirkton	Korman	Schneider	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS HB 3, relating to presidential elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Atkins Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Gosen	Hubbard	Hughes	Jones 63
Kirkton	Korman	Pace	Schneider	Walton Gray

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS HB 5, relating to property tax assessment reductions, was taken up by Representative White.

On motion of Representative White, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 009

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Schneider	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Walton Gray		

VACANCIES: 004

HB 2, relating to the collection of state moneys, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 2** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Pollock	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 4 - Economic Development

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, September 13, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

INTERIM COMMITTEE ON 911 ACCESS

Tuesday, September 13, 2011, 10:00 AM House Hearing Room 3.

INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FIFTH DAY, TUESDAY, SEPTEMBER 13, 2011

The House met pursuant to adjournment.

Representative Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in the Lord and do good. (Psalm 37:3)

O God, our eternal source of wisdom, power, and love, Who is above us and within us, Who keeps the planets in their courses and yet is mindful of the faint whispers of our human hearts, before You we pause in reverence and awe, contemplating the grandeur of Your being, the greatness of Your power, and the glory of Your love.

Keep us restless until we find our rest in You, keep us dissatisfied until we find our satisfaction in You, keep us in weakness until we find our strength in You.

Into our lives come appeals for causes, some of which are good and some of which are not good. We pray that by Your spirit we may be led to make wise choices that our reactions may be good and for the good of all. Help us to keep our minds and hearts responsive to You, that Your grace may find an outlet in our lives and that we may be channels for Your spirit to establish justice between people, goodwill within homes, and peace in our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Allen, Asbury, Bahr, Barnes, Berry, Black, Bandom, Brown (85), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Davis, Day, Dieckhaus, Diehl, Dugger, Fallert, Fisher, Fitzwater, Flanigan, Franklin, Franz, Fuhr, Gosen, Grisamore, Guernsey, Harris, Higdon, Hinson, Holsman, Hough, Johnson, Jones (89), Kelley (126), Klippenstein, Korman, Lair, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, McDonald, McNeil, Montecillo, Nasheed, Nichols, Quinn, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schieffer, Shively, Silvey, Spreng, Taylor, Thomson, Wallingford, Wells, White, Wieland and Wright.

ADJOURNMENT

On motion of Representative Richardson, the House adjourned until 10:00 a.m., Wednesday, September 14, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 15, 2011, 8:30 AM House Hearing Room 7.

Department updates, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, September 14, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Discussion of veterans homes.

JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SIXTH DAY, WEDNESDAY, SEPTEMBER 14, 2011

The House met pursuant to adjournment.

Representative Cierpiot in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My grace is sufficient for thee: for my strength is made perfect in weakness. (II Corinthians 12:9)

Eternal and Almighty God, the light of all that is true, the strength of all that is good, and the glory of all that is beautiful, at the beginning of another day we would lift our minds and hearts unto You in prayer, seeking strength and wisdom and love sufficient for our needs.

Help us to walk in the light, to share our strength, and to build upon love that we may be ready for all our responsibilities and equal to every experience. May we always think clearly, speak confidently, and act courageously, and may the world of today be a better world than the world of yesterday because of our devotion and our work.

We pray that Your spirit may enter the hearts of all our people, that they and we may be delivered from all malice and all hatred, and may be led to do justly, to love mercy, and to walk humbly with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

RECESS

On motion of Representative Cierpiot, the House recessed until 5:00 p.m.

The hour of recess having expired, the House was called to order by Representative Jones (89).

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1**, entitled:

An act to repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 7**, entitled:

An act to repeal sections 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 8**, entitled:

An act to repeal sections 32.115, 100.286, 100.297, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.478, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.680, 135.700, 135.815, 135.825, 135.1150, 143.119, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-five new sections relating to taxation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, September 15, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 15, 2011, 8:30 AM House Hearing Room 7.

Department updates, continued.

ELEMENTARY AND SECONDARY EDUCATION

Monday, September 19, 2011, 1:00 PM House Hearing Room 6.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

HOUSE CALENDAR

SEVENTH DAY, THURSDAY, SEPTEMBER 15, 2011

SENATE BILLS FOR SECOND READING

- 1 SCS SB 1
- 2 SS SCS SB 7
- 3 SS SCS SB 8

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SEVENTH DAY, THURSDAY, SEPTEMBER 15, 2011

The House met pursuant to adjournment.

Representative Dieckhaus in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Behold, God is my salvation, I will trust and not be afraid. (Isaiah 12:2)

Almighty God, Lord of all hearts, Whom to know is life eternal, Whom to love is life glorified and Whom to serve is life filled to the full, in spirit and in truth we bow before this altar of prayer offering unto You once again the devotion of our hearts. We have an opportunity to forward Your spirit of goodwill among our citizens.

Strengthen us, O God, and renew a right and a good spirit within us - that this day may witness a renewed purpose to struggle for the right in church, city, state and county that poverty and violence and misunderstanding may disappear, and that justice and peace and understanding may appear in our state and in our own hearts.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Cook and Adam Vonder Haar.

SECOND READING OF SENATE BILLS

SCS SB 1, SS SCS SB 7 and SS SCS SB 8 were read the second time.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 1 - Elementary and Secondary Education

SS SCS SB 7 - Economic Development

SS SCS SB 8 - Economic Development

The following members' presence was noted: Allen, Anders, Atkins, Barnes, Berry, Brandom, Carter, Colona, Conway (14), Conway (27), Cookson, Cross, Curtman, Denison, Dugger, Ellinger, Entlicher, Fisher, Fitzwater, Flanigan, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Hampton, Harris, Higdon, Hodges, Hubbard, Jones (89), Kelley (126), Koenig, Korman, Kratky, Lair, Lant, Leach, Lichtenegger, Loehner, May, McGeoghegan, Montecillo, Oxford, Pace, Pollock, Quinn, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieffer, Schoeller, Silvey, Smith (71), Solon, Spreng, Taylor, Thomson, Wallingford, Walton Gray, Wells, Wright and Zerr.

ADJOURNMENT

On motion of Representative Dieckhaus, the House adjourned until 10:00 a.m., Monday, September 19, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Monday, September 19, 2011, 4:00 PM House Hearing Room 7.

Public hearing will be held: SS SCS SB 8, SS SCS SB 7

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Monday, September 19, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 1

Executive session will be held: SCS SB 1

Executive session may be held on any matter referred to the committee.

AMENDED

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

EIGHTH DAY, MONDAY, SEPTEMBER 19, 2011

The House met pursuant to adjournment.

Representative Day in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Aull, Barnes, Berry, Brandom, Brown (50), Burlison, Curtman, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Fraker, Hough, Hubbard, Johnson, Jones (117), Kelley (126), Kelly (24), Korman, Kratky, Lair, Lampe, Lauer, Leara, Loehner, Long, McDonald, McGeoghegan, McGhee, McNary, McNeil, Meadows, Montecillo, Neth, Redmon, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Schneider, Shively, Shumake, Smith (71), Solon, Stream, Swearingen, Thomson, Wallingford, Webber and Zerr.

ADJOURNMENT

On motion of Representative Day, the House adjourned until 10:00 a.m., Tuesday, September 20, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Tuesday, September 20, 2011, 1:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, September 20, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

NINTH DAY, TUESDAY, SEPTEMBER 20, 2011

The House met pursuant to adjournment.

Representative Fraker in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Unto Thee O Lord, do I lift up my soul. (Psalm 25:1)

O Spirit of the Living God, Whose still, small voice still summons us to turn aside from the feverish ways of foolish people, drop Your still dews of quietness, until our strivings cease; take from our souls the strain and stress, and let our ordered lives confess the beauty of Your peace.

In this mood we come this day and bow our hearts at this altar of prayer. May we be led into green pastures, beside still waters, and find restoration of spirit and renewal of our faith in You. Even though we walk through the valley of the shadow of death we will fear no evil for You are with us, strengthening us and supporting us.

Bless the members of this House that they may have wisdom and faith and courage for the experiences of this day, and may they never fail.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Colona, Conway (27), Cross, Day, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Franz, Gosen, Grisamore, Guernsey, Harris, Higdon, Holsman, Hubbard, Kelly (126), Kelly (24), Kratky, Lair, Lant, Lauer, Leach, Loehner, Long, McDonald, McGeoghegan, McGhee, Montecillo, Redmon, Riddle, Rizzo, Scharnhorst, Schieber, Schieffer, Schneider, Shively, Smith (71), Swearingen, Talboy, Thomson, Wallingford and Zerr.

ADJOURNMENT

On motion of Representative Fraker, the House adjourned until 10:00 a.m., Wednesday, September 21, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Wednesday, September 21, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

EXECUTIVE SESSION

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, September 21, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TENTH DAY, WEDNESDAY, SEPTEMBER 21, 2011

The House met pursuant to adjournment.

Representative Zerr in the Chair.

Prayer by Representative Billy Pat Wright.

In a letter of instruction to his young ministerial disciple, Paul tells Timothy "tough times are the way;" times in which men will be lovers of self, filled with sin and will be opposed to the truth (*II Timothy 3:1-9*). He says that "evil men and imposters" will deceive others while being deceived (*3:13*). But Paul reminds Timothy to recall how he, Paul, served and taught others and exhorts him to "continue in the things you have learned." And become convinced of the sacred writings which are able to give you wisdom.

II Timothy 3:16 reads - All scripture is inspired by God and is profitable for teaching, for reproof, for correction, for training in righteousness. Let us all in the House be reminded of our commitment to our constituents and pray for God's wisdom during this Special Session.

In Christ's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Carter, Colona, Conway (14), Conway (27), Cross, Day, Denison, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Fraker, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Harris, Higdon, Holsman, Hough, Hubbard, Jones (89), Kelley (126), Koenig, Kratky, Lair, Lant, Lauer, Leach, Leara, Long, McGeoghegan, McGhee, Montecillo, Pollock, Redmon, Rizzo, Scharnhorst, Schieber, Schieffer, Spreng, Talboy, Taylor, Thomson, Torpey, Wallingford and Wells.

ADJOURNMENT

On motion of Representative Zerr, the House adjourned until 10:00 a.m., Thursday, September 22, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Thursday, September 22, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 22, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

ELEVENTH DAY, THURSDAY, SEPTEMBER 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Great is our Lord and of great power: His understanding is infinite. (Psalm 147:5)

O God, Who reveals Yourself in numberless ways, deepen within us this day the sense of Your presence as we wait upon You in prayer. Strengthen us by Your Spirit that no danger may overwhelm us, no difficulty may overcome us, no distress may overburden us, and no discouragement may cause us to turn aside from walking with You.

May Your grace sustain us in our labor, Your hand uphold us when we fall, Your joy make our hearts glad, and Your presence give us courage to face the experiences of this hour unashamed and unafraid. Help us to grow in strength, in understanding, in never-ending goodwill; and may we ever commit our lives to goals great enough for our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 4466 - Rules

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 7 - Fiscal Review (Fiscal Note)

SUPPLEMENTAL CALENDAR

SEPTEMBER 22, 2011

SENATE BILLS FOR THIRD READING

- 1 SCS SB 1 - Kelly (24)
- 2 HCS SS SCS SB 7, (Fiscal Review 9-22-11) - Tilley

The following members' presence was noted: Allen, Asbury, Bahr, Barnes, Bernskoetter, Black, Brandom, Brown (85), Cauthorn, Colona, Conway (14), Conway (27), Cox, Crawford, Cross, Day, Denison, Dieckhaus, Dugger, Entlicher, Fisher, Flanigan, Fraker, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Harris, Higdon, Holsman, Hough, Hubbard, Hummel, Jones (89), Jones (117), Kelley (126), Kelly (24), Klippenstein, Koenig, Kratky, Lair, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, McGeoghegan, McGhee, Montecillo, Nance, Nasheed, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieber, Schneider, Schoeller, Schupp, Silvey, Smith (150), Solon, Spreng, Still, Stream, Swearingen, Talboy, Thomson, Torpey, Wallingford, Webber, Wells, White, Wieland, Wright, Wyatt and Zerr.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 9:00 a.m., Friday, September 23, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 27, 2011, 5:30 PM,

Bradford Research and Extension Center, 4968 Rangeline Road, Columbia, Missouri 65201-8973.

Executive session may be held on any matter referred to the committee.

Informational hearing.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

HOUSE CALENDAR

TWELFTH DAY, FRIDAY, SEPTEMBER 23, 2011

SENATE BILLS FOR THIRD READING

- 1 SCS SB 1 - Kelly (24)
- 2 HCS SS SCS SB 7, (Fiscal Review 9-22-11) - Tilley

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWELFTH DAY, FRIDAY, SEPTEMBER 23, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

O give thanks unto the Lord, for He is good: for His mercy endureth forever. (Psalm 107:1)

Eternal God, Who is the source of wisdom and beauty and goodness, Whose spirit ever seeks to arise within our hearts and in the hearts of people everywhere - make Yourself and Your will clearly known to us as we bow in prayer before You. We are thankful that You are everywhere - that no condition and no distance can ever separate us from You and from Your love. We thank You that Your mercies never fail and Your loving kindness never ceases.

We are grateful for our lives which are in Your hands and for Your continuous goodness which blesses us all our days. Help us to be worthy of Your gifts and to use them for Your glory and for the welfare of our state. Grant that each one of us may do our part to bring about an order of society in which there will be no injustice, no bitterness of spirit, and one in which each person may come to the fullness of life and love for which they were created.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh day were approved as printed.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 7** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SCS SB 1, relating to teacher and student communications, was taken up by Representative Kelly (24).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 042

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McGeoghegan	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McDonald
McManus	Neth	Oxford	Pace	Sater
Smith 71	Walton Gray	Webb		

VACANCIES: 004

On motion of Representative Kelly (24), **SCS SB 1** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Newman	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Barnes Colona

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McDonald
McManus	Neth	Oxford	Pace	Sater
Smith 71	Walton Gray	Webb		

VACANCIES: 004

Speaker Tilley declared the bill passed.

HCS SS SCS SB 7, relating to science and innovation reinvestment, was taken up by Representative Zerr.

Representative Asbury offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 7, Page 19, Section 348.271, Line 26, by inserting after all of said line the following:

"348.275. 1. **Public funds utilized under the provisions of sections 348.250 to 348.275 shall not be expended, paid, or granted to or on behalf of an existing or proposed research project that involves abortion services, human cloning, or prohibited human research as defined in section 196.1127.**

2. The department of economic development may draft and promulgate rules and regulations consistent with the provisions of sections 348.251 to 348.272 as are necessary or useful to carry out the provisions of those sections.

[2.] 3. No rule or portion of a rule promulgated under the authority of sections 348.251 to 348.272 shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

[3.] 4. Upon filing any proposed rule with the secretary of state, the department shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

[4.] 5. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the department may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

[5.] 6. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

[6.] 7. If the committee disapproves any rule or portion thereof, the department shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

[7.] 8. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

[8.] 9. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Asbury moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Asbury	Bahr	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Casey
Cauthorn	Conway 14	Cox	Crawford	Cross
Curtman	Davis	Dugger	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Frederick	Fuhr
Grisamore	Hampton	Harris	Houghton	Hummel
Keeney	Kelley 126	Koenig	Korman	Kratky
Lasater	Lauer	Leach	Loehner	Marshall
McCaherty	Meadows	Nance	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Smith 150	Solon	Swinger	Thomson	Wallingford
Wells	Wieland	Wyatt		

NOES: 074

Allen	Anders	Aull	Barnes	Brown 50
Carlson	Carter	Cierpiot	Colona	Conway 27
Day	Denison	Dieckhaus	Diehl	Ellinger
Elmer	Fisher	Flanigan	Franz	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Higdon
Hinson	Holsman	Hoskins	Hough	Hubbard
Jones 89	Jones 117	Kander	Kelly 24	Kirkton
Klippenstein	Lair	Lampe	Lant	Leara
Lichtenegger	Long	May	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Montecillo
Nasheed	Newman	Nichols	Pierson	Richardson
Rizzo	Scharnhorst	Schneider	Schupp	Sifton
Silvey	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Torpey	Webber	Weter
White	Wright	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McManus
Neth	Oxford	Pace	Sater	Smith 71
Walton Gray	Webb			

VACANCIES: 004

Representative Zerr moved that **HCS SS SCS SB 7** be adopted.

Which motion was defeated.

On motion of Representative Zerr, **SS SCS SB 7** was truly agreed to and finally passed by the following vote:

AYES: 094

Allen	Anders	Aull	Barnes	Berry
Brandom	Brown 50	Carlson	Carter	Cauthorn
Cierpiot	Colona	Conway 27	Cross	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Fisher
Flanigan	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Long	May	McCaherty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Newman	Nichols	Nolte
Parkinson	Pierson	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Scharnhorst	Schneider
Schoeller	Schupp	Sifton	Silvey	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Webber	Weter
White	Wright	Zerr	Mr Speaker	

NOES: 048

Asbury	Bahr	Bernskoetter	Black	Brattin
Brown 85	Burlison	Casey	Conway 14	Cox
Crawford	Curtman	Davis	Day	Dugger
Entlicher	Fallert	Fitzwater	Franklin	Fuhr
Grisamore	Hampton	Harris	Hummel	Kelley 126
Koenig	Korman	Lasater	Leach	Loehner
Marshall	Nance	Phillips	Pollock	Quinn
Riddle	Schad	Schatz	Schieber	Schieffer
Shively	Shumake	Smith 150	Swinger	Wallingford
Wells	Wieland	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McManus
Neth	Oxford	Pace	Sater	Smith 71
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

ADJOURNMENT

On motion of Representative Jones (89), the House stood in recess until such time that **SCS SB 1** and **SS SCS SB 7** are signed by the Speaker or 12:30 p.m., whichever comes first, and then stand adjourned until 10:00 a.m., Thursday, September 29, 2011.

COMMITTEE MEETINGS

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 27, 2011, 5:30 PM,

Bradford Research and Extension Center, 4968 Rangeline Road, Columbia, Missouri 65201-8973.

Executive session may be held on any matter referred to the committee.

Informational hearing.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, SEPTEMBER 29, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Open Thou mine eyes, that I may behold wondrous things out of Thy law. (Psalm 119:18)

Eternal God, Who led our ancestors through the wilderness into the promised land, we thank You for Your providential care from that day to this. You guided them with a pillow of cloud by day and a pillar of fire by night, and caused them to dwell in the secret place of the Most High. As You did bestow upon them the blessing of Your law, as You did pour out upon them the gifts of Your spirit, as You did lead them in the way of Your commandments - so teach us to follow in their footsteps that we, like them, may seek after truth, strive to deal justly, to love mercy and to walk humbly and reverently with You.

Grant, O Lord, that we may love Your law and live Your life that the benediction of Your peace and the blessing of Your presence may rest upon us and upon our state now and always. And we pause for a moment of silent prayer for the repose of the soul of our former member, Representative Ed Robb of Boone County, whose funeral is today.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Grisamore, Harris, Jones (63), Jones (89), Kelly (24), Koenig, Leach, Loehner, McGeoghegan, Montecillo, Redmon, Schieffer, Still and Talboy.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 A.M., Monday, October 3, 2011.

COMMITTEE MEETINGS

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Annual Accountability Presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, October 4, 2011, 5:30 PM Maplewood-Richmond Heights High School Auditorium,
7539 Manchester Road, Maplewood, Missouri 63143.

Executive session may be held on any matter referred to the committee.

Informational hearing.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, OCTOBER 3, 2011

The House met pursuant to adjournment.

Representative Day in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Fisher, Harris, Kelly (24), Loehner, Montecillo, Silvey and Walton Gray.

ADJOURNMENT

On motion of Representative Day, the House adjourned until 10:00 a.m., Tuesday, October 4, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Wednesday, October 5, 2011, 2:00 PM House Hearing Room 3.

Executive session will be held: SS SCS SB 8

Executive session may be held on any matter referred to the committee.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, October 4, 2011, 5:30 PM,

Maplewood-Richmond Heights High School Auditorium,

7539 Manchester Road, Maplewood, Missouri 63143.

Informational hearing.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, October 5, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to the committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, OCTOBER 4, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Allen, Barnes, Berry, Black, Conway (27), Day, Dieckhaus, Fisher, Fuhr, Gatschenberger, Guernsey, Harris, Higdon, Holsman, Hubbard, Jones (117), Kelly (24), Koenig, Korman, Lant, Leach, Loehner, Montecillo, Scharnhorst, Silvey, Solon and Wells.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, October 5, 2011.

COMMITTEE MEETINGS

ECONOMIC DEVELOPMENT

Wednesday, October 5, 2011, 2:00 PM House Hearing Room 3.

Executive session will be held: SS SCS SB 8

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, October 6, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 5, 2011, 5:15 PM House Hearing Room 6.

Public hearing will be held: HR 4466

Executive session will be held: HR 4466

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, October 5, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to the committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, OCTOBER 5, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

Prayer by Representative Sheila Solon.

Grant us, Lord, not to be anxious about earthly things, but to love things heavenly; and even now, while we are placed among things that are passing away, to hold fast to those that shall endure; through Jesus Christ our Lord, Who lives and reigns with You and the Holy Spirit, one God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4466**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

HOUSE RESOLUTION NO. 4466

WHEREAS, Missouri has a proud history of supporting our military and strengthening our nation; and

WHEREAS, Missouri has provided strategic air support to the nation's military since World War II; and

WHEREAS, Missouri is the home of the Air Force Global Strike Command and our military men and women are at the forefront of United States national air defense; and

WHEREAS, our military personnel and their families deserve the peace of mind that they have an unparalleled multi-role fighter to keep them safe, protect our nation, and secure peace around the world; and

WHEREAS, the F-35 is critical to the modernization of our military because it will replace aging and obsolete aircraft and secure United States air superiority for the next generation; and

WHEREAS, thousands of hard working, highly educated Missourians contribute to the success of Whiteman Air Force Base and the Marine Corp Mobilization Command; and

WHEREAS, these Missourians depend on the economic impact of our military bases to support their jobs and thriving communities; and

WHEREAS, the F-35 generates more than five hundred high technology, high paying jobs for Missouri; and

WHEREAS, the global F-35 Joint Strike Fighter program already provides sustained economic impact to Missouri and its citizens of over thirty-five million dollars annually; and

WHEREAS, the United States Congress is currently reviewing its commitment to the F-35 program and its full funding; and

WHEREAS, the United States and its global partners have invested in the development of the F-35 for more than a decade; and

WHEREAS, our military is currently testing the aircraft and we are on the verge of realizing the return on this long-term investment; and

WHEREAS, to slow production would increase the marginal cost of each aircraft and curb the strategic security and economic benefits of the program:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F-35 to the State of Missouri, our military, and our national security, and support high production and full funding of the F-35 Joint Strike Fighter program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

House Committee Amendment No. 1

AMEND House Resolution No. 4466, Page 1, Lines 7-8, by deleting all of said lines.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 8 - Fiscal Review (Fiscal Note)

SUPPLEMENTAL CALENDAR

OCTOBER 5, 2011

SENATE BILL FOR THIRD READING

HCS SS SCS SB 8, (Fiscal Review 10-5-11) E.C. - Tilley

HOUSE RESOLUTION

HR 4466, HCA 1 (10-5-11) - Jones (117)

The following members' presence was noted: Allen, Bahr, Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Brown (116), Carlson, Carter, Conway (14), Conway (27), Cox, Crawford, Cross, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Fisher, Fraker, Franz, Fuhr, Funderburk, Gatschenberger, Gosen, Guernsey, Harris, Higdon, Holsman, Hough, Hubbard, Jones (117), Kelley (126), Kelly (24), Koenig, Kratky, Lant, Largent, Lasater, Lauer, Leach, Leara, Loehner, Long, McCann Beatty, McDonald, McGeoghegan, McGhee, Montecillo, Nasheed, Pollock, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieber, Schieffer, Schoeller, Silvey, Smith (71), Smith (150), Stream, Swearingen, Talboy, Thomson, Wallingford, Webber, Wells, Weter, White, Wieland, Wright and Zerr.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 9:00 a.m., Thursday, October 6, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Thursday, October 6, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

HOUSE CALENDAR

SIXTEENTH DAY, THURSDAY, OCTOBER 6, 2011

SENATE BILLS FOR THIRD READING

HCS SS SCS SB 8, (Fiscal Review 10-5-11), E.C. - Tilley

HOUSE RESOLUTIONS

HR 4466, HCA 1 (10-5-11) - Jones (117)

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, OCTOBER 6, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Ken Wilson, Pastor and Previous Missionary, North American Mission Board, Southern Baptist Convention.

Dear Heavenly Father, I thank You for allowing me this privilege to talk with You today in front of these representatives. I ask that You would lead them and guide them today in this session. Also, guide them in their everyday walk and conduct. Thank You for our great nation and great state. May Your blessings be upon us in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the twelfth, thirteenth, fourteenth, fifteenth and sixteenth days were approved as printed.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 8** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Bahr offered an objection to **SS SCS SB 7**, which was appended to the bill.

LETTER OF OBJECTION

September 23, 2011

Mr. Speaker:

My honor and duty to my sworn oath to support and defend the Missouri state Constitution compels me to raise a constitutional objection to Senate Substitute for Senate Committee Substitute for Senate Bill Seven. It is my opinion that the bill is unconstitutional for the following reasons:

1. SS/SCS for Senate Bill No. 7 violates Article I, Section 2 of the Missouri Constitution by denying equal protection under the laws of Missouri through its treatment of Missouri businesses and other taxpayers differently based on the geographic region and industries they serve.
2. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing a competitive advantage to some citizens through state supplied subsidies for the development of new enterprises at the expense of citizens who have already made investments in competing projects. The result is state sponsored diminution of their property and the state's failure to "give security" to the "gains of their own industry".
3. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing preferential and unequal treatment to some citizens, who would receive state supplied subsidies for the development of new enterprises, over other citizens who might otherwise seek development of new enterprises in competition with them in an open and free marketplace.
4. SS/SCS for Senate Bill No. 7 violates Article III, Section 36 of the Missouri Constitution, because it has the effect of "divert[ing]" money from the treasury independent of the appropriation process.
5. SS/SCS for Senate Bill No. 7 violates Article III, Section 38(a) of the Missouri Constitution, which states that "The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation..."

The potential for public benefit does not remediate the fatal flaws in this bill, for as the Missouri Supreme Court pointed out in 1987, "Accordingly, in our application of Article III, Section 38(a) of the Missouri Constitution, we have held grants with a primarily private effect to be unconstitutional, despite the possible beneficial impact upon the economy of the locality and of the state." *Curchin v. Missouri Indus. Development Bd.*, 722 SW 2d 930 (Mo: Supreme Court 1987)

6. SS/SCS for Senate Bill No. 7 violates Missouri Constitution's Article III, Section 40 prohibition of "special laws" in several ways, notably those in Section 40(30) which forbids the General Assembly from passing a local or special law where a general law can be made.

Article I, Section 2 of the Missouri Constitution provides guidance for all that the state would task itself with – it defines the role of Missouri government, what it calls its "principal office". That section was brought forward from our 1875 constitution and it was explained eloquently when introduced to the body of delegates during the 1875 Constitutional Convention:

"It [in the Bill of Rights] is then declared that the main office of government is the security of life, liberty and property - the protection of those things - not protection in the sense in which capital is employed in thousands of industries in order to render bloated one or two in some favored locality - not protection in that sense, but equal protection to all, so that every man may sit secure under the shadow of his own vine and fig tree, and have none to make him afraid." Debates of the Missouri Constitutional Convention, 1875 – Volume I, P. 430 at 24 (emph. added)

As a duly elected Representative of the great state of Missouri, I have taken an oath to support and defend the Constitution from which these principles emanate. While I have a responsibility to consider guidance from the Courts, I also have a personal responsibility to understand our Constitution and apply my understanding in the execution of my

duties. In the present instance, both the preponderance of guidance from the courts and my understanding are in agreement.

Accordingly, I conclude that Senate Substitute for Senate Committee Substitute for Senate Bill Seven is unconstitutional for the above-stated reasons and should not be agreed to or passed by this body and in the event it is finally passed by both houses of the legislature, should not be signed by the governor.

Respectfully,

/s/ Rep. Kurt M. Bahr
District 19

All other business of the House was suspended while **SS SCS SB 7** was read at length and was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 8, relating to tax credits, was taken up by Representative Tilley.

HCS SS SCS SB 8 was laid over.

Representative Grisamore assumed the Chair.

HOUSE RESOLUTION

HR 4466, with House Committee Amendment No. 1, relating to the F-35 Joint Strike Fighter Program was taken up by Representative Jones (117).

On motion of Representative Jones (117), **House Committee Amendment No. 1** was adopted.

On motion of Representative Jones (117), **HR 4466, as amended**, was adopted by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lasater

Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Pace	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 007

Carlson	May	Montecillo	Newman	Parkinson
Pierson	Swearingen			

PRESENT: 014

Colona	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	McCann Beatty	McNeil	Oxford	Schupp
Spreng	Talboy	Taylor	Walton Gray	

ABSENT WITH LEAVE: 011

Cookson	Funderburk	Higdon	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Quinn	Redmon
Webb				

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 8, relating to tax credits, was again taken up by Representative Tilley.

Representative Bahr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting after all of said line the following:

“10. The provisions of the tax credit program authorized under sections 135.350 to 135.352 shall sunset automatically on July 1, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting after all of said line the following:

“11. The provisions of the tax credit program authorized under sections 253.545 to 253.559 shall sunset automatically on July 1, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bahr moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 017

Asbury	Bahr	Brattin	Burlison	Cox
Curtman	Fitzwater	Franz	Gatschenberger	Guernsey
Keeney	Koenig	Leach	McNary	Nolte
Parkinson	Pollock			

NOES: 131

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lampe	Lant	Largent	Lasater
Lauer	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Conway 14	Cookson	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Quinn	Redmon
Webb				

VACANCIES: 004

Representative Silvey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting the following after all of said line:

“10. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 253.545 to 253.559. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the department of economic development’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting the following after all of said line:

“11. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 135.350 to 135.363. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the commission’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Sater offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 38, Section 135.1180, Line 43, by inserting at the end of said line the following:

"The cumulative amount of tax credits under this section which may be allocated to all taxpayers making eligible donations in any one fiscal year shall not exceed five million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 3** was adopted.

Representative Koenig offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 98, Section 620.1878, Line 409, by inserting after all of said section the following:

“Section 1. The amount of tax imposed on the taxable income of a corporation in section 143.071 shall be reduced to five and one half percent of Missouri taxable income beginning January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Webber raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying bill.

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

Representative Jones (89) assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty

95 *Journal of the House*

McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Conway 14	Cookson	Funderburk	Hughes	Jones 117
Klippenstein	Lair	Lichtenegger	McGhee	Nasheed
Quinn	Redmon	Richardson	Scharnhorst	Schneider
Webb				

VACANCIES: 004

On motion of Representative Koenig, **House Amendment No. 4** was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Weter				

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Funderburk	Hughes	Klippenstein	Lair
Lichtenegger	McGhee	Nasheed	Quinn	Redmon
Richardson	Scharnhorst	Webb		

VACANCIES: 004

Representative White offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, Line 9, by inserting the following after all of said line:

"137.081. 1. As used in this section, the following terms mean:

- (1) "Certificate of occupancy", the certificate, permit, or equivalent document issued by the county that permits the commercial use or occupancy of a building or structure used for commercial purposes;**
- (2) "Commercial real property", any real property assessed as utility, industrial, commercial, railroad and other real property by the assessor for property tax purposes under section 137.016;**
- (3) "Commercial real property improvement", any buildings, structures, fixtures, and similar edifice as described in subdivision (3) of section 137.010 which are on and a part of commercial real property;**
- (4) "Natural disaster", any disaster due to natural causes such as tornado, fire, flood, or earthquake;**
- (5) "County", any county or city not within a county.**

2. If a property owner makes an application under this section, any commercial real property improvement destroyed by a natural disaster shall be removed on a pro rata basis from the tax book for the current year if such property improvement is unusable due to such destruction. If such application is made before the first day of July, the county assessor shall carry out the duties of subsections 2 and 3 of this section. If such application is made on or after July first, the county board of equalization shall carry out the duties of subsections 2 and 3 of this section. In counties that are not of the first classification, if the destruction occurs after the adjournment of the county board of equalization, the county commission shall perform such duties.

3. Upon issuance of a certificate of occupancy for the improvement to a property removed from the tax book under subsection 2 of this section by the county, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section. If the property is located within a county that does not issue a certificate of occupancy, upon the determination of the assessor that the improvement is suitable for use or occupancy for commercial purposes, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section.

4. Any person claiming destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall make available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall be assessed double the value of any property fraudulently listed, in addition to any other penalties provided by law. The list shall be filed by the assessor, after the assessor has provided a copy of the list to the county collector and the board of equalization or county commission, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep it.

5. Any political subdivision may recover all loss of revenue resulting from the provisions of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section.

6. For any tax year, including 2011, this section shall become effective immediately upon the adoption of this section by the governing body of such county and shall apply to such tax year and shall remain effective until the end of the tax year in which the governing body of such county votes to repeal the provisions of this

section. Any improvement that was removed from the tax book under the provisions of this section prior to the time of repeal by the governing body of such county shall be assessed and taxed at such time as the requirements of subsection 3 of this section have been satisfied.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 5** was adopted.

Representative Schieffer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 34, Section 135.647, Lines 56 through 58, by removing said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 6**.

*House Amendment No. 1
to
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 3, by inserting after all of said line the following:

“Further amend said bill, Page 32, Section 135.630, Lines 91 through 93, by deleting all of said lines”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 6** was adopted by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Kratky
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty

McGhee	McManus	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Newman
Nichols	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 013

Cookson	Dieckhaus	Franz	Funderburk	Hughes
Klippenstein	Lair	Lichtenegger	Nasheed	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

On motion of Representative Schieffer, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Korman	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace

Parkinson	Phillips	Pierson	Pollock	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Cookson	Day	Funderburk	Hughes	Klippenstein
Koenig	Lair	Lichtenegger	McNary	Nasheed
Quinn	Redmon	Richardson	Schatz	Webb

VACANCIES: 004

Representative Solon offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 12, Section 99.1205, Line 6, by deleting the words “**or any portion thereof, engineering costs, attorney's fees, architectural and planning costs,**”; and

Further amend said bill, Page 12, Section 99.1205, Line 9, by removing the brackets around the words “attorney fees”; and

Further amend said bill, Page 12, Section 99.1205, Line 38, by inserting an opening bracket “[“ before the following: “(4) "Condemnation proceedings"”; and

Further amend said bill, Page 13, Section 99.1205, Line 43, by inserting a closing bracket “]” after the following: “section 523.250””; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

House Substitute Amendment No. 1 for House Amendment No. 7 was withdrawn.

Representative Cox offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Lines 8-12, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Solon, **House Amendment No. 7, as amended**, was adopted.

Representative Bandom offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 87, Section 620.1878, Line 165, by deleting the word “twenty” and inserting in lieu thereof the words “[twenty] **ten**”; and

Further amend said bill, Page 87, Section 620.1878, Line 166, by deleting the word “forty” and inserting in lieu thereof the words “[forty] **twenty**”; and

Further amend said bill, Page 87, Section 620.1878, Line 167, by inserting after the word “area” the words “, **two new jobs in an enhanced enterprise zone**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 6, by deleting the number, “**twenty**” and inserting in lieu thereof the number, “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Bandom, **House Amendment No. 8, as amended**, was adopted.

Representative Long offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8 Page 5, Section 67.2050, Line 5 of said page, by inserting after the word “state,” the following:

“or any utilities board thereof;”; and

Further amend said section and page, Line 17 of said page, by inserting after the word “purchase,” the following:

“lease, sale,”; and

Further amend said section and page, Line 30 of said page, by inserting after the word “may” the following:

“notwithstanding any limiting, restricting or inconsistent ordinance or charter provision of the Municipality”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 9** was adopted.

Representative Zerr offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Sections 252.545 through 253.559, Pages 56 - 64, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) "Eligible property", property located in Missouri and offered or used for residential or business purposes;

(4) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

(5) "Principal", a managing partner, general partner, or president of a taxpayer;

(6) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

(7) "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation;

(8) "**Total costs and expenses of rehabilitation**", **all costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district including, but not limited to, qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Such costs and expenses shall include, but not be limited to, rehabilitation work in progress and accrued developer fees. Provided however, that accrued developer fees shall only be considered "total costs and expenses of rehabilitation" if an agreement or other contractual document provides for the payment of such fees within no more than six years of completion of the rehabilitation.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and

section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

6. For all applications for tax credits approved on or after July 1, 2011, no more than one hundred and twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

8. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed ten million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection, shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **For all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] to 253.559. **Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits to **any other taxpayer including, but not limited to, a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners **including, but not limited to, any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked,

with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2, **5, or 8** of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2, **5, or 8** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of

economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2, **5, or 8** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development [which,]. **Such application for final approval and issuance of tax credits shall include a cost and expense certification, prepared by a licensed certified public accountant that is not an affiliate of the applicant, certifying the total costs and expenses of rehabilitation and the total amount of tax credits for which such taxpayer is eligible under sections 253.550 to 253.559. Cost and expense certifications required under this section shall separately state any accrued developer fees. No later than forty-five calendar days following receipt of a taxpayer's application for final approval and issuance of tax credits, the department of economic development shall determine, in consultation with the department of natural resources, [shall determine the final amount of eligible rehabilitation costs and expenses and] whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. If the completed rehabilitation meets such standards, the department of economic development shall, within forty-five calendar days following the receipt of the taxpayer's application for final approval and tax credit issuance, inform such taxpayer of its initial determination by letter and issue such taxpayer an initial tax credit issuance. A taxpayer receiving an initial tax credit issuance shall receive tax credit certificates in an amount equal the lesser of seventy-five percent of the total amount of tax credits for which the taxpayer is eligible under sections 253.550 to 253.559, as certified in the cost and expense certification, or the amount of tax credits approved for such project under subsection 3 of this section. Within one hundred and fifty calendar days following receipt of a taxpayer's application for final approval and tax credit issuance, the department shall determine the final amount of eligible rehabilitation costs and expenses. For a taxpayer receiving an initial tax credit issuance, no later than one hundred and fifty calendar days following receipt of such taxpayer's application for final approval and tax credit issuance, the department shall notify such taxpayer of its final determination by letter and issue such taxpayer tax credit certificates in an amount equal to the lesser of the remaining amount of tax credits for which such taxpayer is eligible to receive under sections 253.550 to 253.559, as determined by the department, or the remaining amount of tax credits for which such taxpayer was approved under subsection 3 of this section, but not issued under the initial tax credit issuance. If the department of economic development determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance is in excess of the total amount of tax credits such taxpayer is eligible to receive under sections 253.550 to 253.559, the department shall notify such taxpayer and such taxpayer shall repay the state an amount equal to such excess. For financial institutions credits authorized pursuant to sections 253.550 to [253.561] 253.559 shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. [The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates.] The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed. Taxpayers which receive tax credit certificates under sections 253.550 to 253.559, attributable to accrued developer fees shall, within six years of completion of rehabilitation, submit an additional cost and expense certification verifying the total amount of developer fees actually accrued and paid. To the extent the amount of developer fees contained in a taxpayer's cost and expense certification included with such taxpayers application for final approval and tax credit issuance exceeds the amount of developer fees actually accrued and paid, as evidenced by the additional cost and expense certification, such taxpayer shall repay to the state an amount equal to twenty-five percent of such excess.**

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount

provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.

(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.

(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.

(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.

(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.

11. By no later than January 1, 2012, the department shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 2, by deleting “252.545” and inserting in lieu thereof “253.545”; and

Further amend said amendment, Page 2, Lines 25-26, by deleting “**June 30, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 3, Lines 14, 23, and 25, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 4, Lines 5, 7, and 21, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Zerr, **House Amendment No. 10, as amended**, was adopted.

Representative Oxford offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, by inserting after said section, the following:

“143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2011**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2011**, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.

4. The proceeds derived from this section of HCS SS SCS SB 8 shall be used for the purpose of providing funds for the construction of state buildings, facilities, and projects for purposes other than higher education and for rebuilding buildings of institutions of higher education including no less than fifteen percent of the proceeds to be allocated to public community colleges, providing additions thereto or additional buildings where necessary, for land acquisition, for construction or purchase of buildings, and for planning, furnishing, equipping and landscaping such improvements and buildings. No more than thirty percent of the proceeds shall be allocated for the construction of state buildings, facilities, and projects for purposes other than higher education.”; and

Further amend title and enacting clause accordingly.

Representative Oxford moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 032

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Ellinger	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Newman

Nichols	Oxford	Pace	Pierson	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

NOES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Koenig	Korman
Kratky	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 016

Cookson	Funderburk	Hughes	Klippenstein	Lair
Lant	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Scharnhorst	Schneider	Webb
Webber				

VACANCIES: 004

Representative Korman offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 15, Section 99.1205, Line 119, by removing the brackets around the words, “for a period of five years”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) offered **House Substitute Amendment No. 1 for House Amendment No. 12.**

House Substitute Amendment No. 1
for
House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1321, Line 9, by inserting after all of said section and line the following:

"144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.

2. In each year beginning on or after January 1, 2012, but ending on or before December 31, 2013, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Learn
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Reiboldt	Riddle	Rowland	Ruzicka

Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 019

Cookson	Crawford	Funderburk	Grisamore	Hughes
Jones 117	Klippenstein	Lair	Lichtenegger	Nasheed
Nolte	Parkinson	Quinn	Redmon	Richardson
Scharnhorst	Schneider	Webb	Mr Speaker	

VACANCIES: 004

On motion of Representative Smith (150), **House Substitute Amendment No. 1 for House Amendment No. 12** was adopted.

Representative Kelly (24) offered **House Amendment No. 13**.

Representative Elmer raised a point of order that **House Amendment No. 13** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen

Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lant	Largent	Lasater	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb	Mr Speaker	

VACANCIES: 004

On motion of Representative Tilley, **HCS SS SCS SB 8, as amended**, was adopted.

On motion of Representative Tilley, **HCS SS SCS SB 8, as amended**, was read the third time and passed by the following vote:

AYES: 098

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cross	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gosen	Haefner	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Kelly 24	Koenig	Korman	Kratky	Lampe
Lant	Lauer	Leara	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee

McManus	McNary	McNeil	Meadows	Neth
Nichols	Phillips	Pierson	Reiboldt	Riddle
Rizzo	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Webber	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Asbury	Bahr	Brattin	Brown 85
Burlison	Conway 14	Cox	Curtman	Davis
Day	Dugger	Entlicher	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Hodges
Johnson	Keeney	Kelley 126	Kirkton	Largent
Lasater	Leach	Marshall	May	Molendorp
Montecillo	Nance	Newman	Oxford	Pace
Parkinson	Pollock	Rowland	Schad	Schieber
Schneider	Shumake	Swinger	Taylor	Wallingford
Walton Gray	Wells	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 103

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cross	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gosen	Guernsey	Haefner	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 63	Jones 89
Jones 117	Kander	Kelly 24	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leara	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Neth	Nichols	Phillips
Pierson	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schoeller	Schupp	Shively	Sifton	Silvey

Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webber	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 043

Anders	Asbury	Bahr	Brattin	Brown 85
Burlison	Conway 14	Cox	Curtman	Davis
Day	Dugger	Entlicher	Fuhr	Gatschenberger
Grisamore	Hampton	Hodges	Johnson	Keeney
Kelley 126	Kirkton	Lasater	Leach	Marshall
May	Molendorp	Montecillo	Nance	Newman
Oxford	Pace	Parkinson	Pollock	Schad
Schieber	Schneider	Shumake	Swinger	Taylor
Wallingford	Wells	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 1, introduced by Representatives Silvey, Tilley, Diehl, Zerr, Schoeller, Jones (89), Riddle, Holsman, Ellinger, Talboy, Kelly (24), Rizzo, Carter, Hummel, Jones (63), Bahr, Berry, Lampe, Hodges, McManus, Schieber, Haefner, Stream, Flanigan, Neth, Colona, Smith (150) and Keeney, relating to the general assembly.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, October 7, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.
Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.
Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

HOUSE CALENDAR

EIGHTEENTH DAY, FRIDAY, OCTOBER 7, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 1

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

EIGHTEENTH DAY, FRIDAY, OCTOBER 7, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 1 was read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 1 - Rules

The following members' presence was noted: Grisamore, Guernsey, Hampton, Harris, Hubbard, Kratky, Loehner, Montecillo, Scharnhorst, Smith (71), Spreng, Wallingford and Webber.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 10:00 a.m., Wednesday, October 12, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 12, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HJR 1

Executive session will be held: HJR 1

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

NINETEENTH DAY, WEDNESDAY, OCTOBER 12, 2011

The House met pursuant to adjournment.

Representative Leach in the Chair.

Prayer by Representative Phillips.

Heavenly Father, thank You for Your blessing on this legislative body.

May You continue to lead our decision making for our state and may all we do bring glory to You. In Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Funderburk offered House Resolution No. 4672.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 4672 - Rules

The following members' presence was noted: Berry, Fisher, Gosen, Grisamore, Harris, Hubbard, Korman, Kratky, Lant, Montecillo, Pollock, Rowland, Solon and Wallingford.

ADJOURNMENT

On motion of Representative Leach, the House adjourned until 10:00 a.m., Wednesday, October 19, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM Epworth Children & Family Services, Drop-In Center for Older Youth, 6900 Delmar, University City.

Public hearing and discussion of child care & any family-related topics.

Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.

Public hearing and discussion of foster & adoption care and any family-related topics.

Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.

Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 19, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HR 4672, HJR 1

Executive session will be held: HR 4672, HJR 1

Executive session may be held on any matter referred to the committee.

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, OCTOBER 19, 2011

The House met pursuant to adjournment.

Representative Cierpiot in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

David encouraged himself in the Lord his God. (1 Samuel 30:6)

Almighty God, Whose spirit is within all of Your creation, Whose love never fails, and Whose presence is with us all our days, make us more aware of You, more responsive to Your call, more obedient to Your will, and more ready to help our fellow men and women.

Grant unto us a greater honesty of purpose, a more generous attitude toward others, and a most genuine faith in You - which will help us live unashamed before You and those who love us. When we are tempted, give us strength to overcome our temptations; when we begin to give way to discouragement, help us to find our encouragement in You; when we fail and would give up, grant us courage to try again.

May the light of truth illumine our way, may the love of life illumine our hearts, and may the life of love illumine our relationships with one another.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 10, introduced by Representatives Schoeller and Dugger, relating to statewide presidential primaries.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 8, as amended**, and requests the House to recede from its position and take up and pass **SS SCS SB 8**.

The following members' presence was noted: Barnes, Berry, Black, Colona, Conway (14), Conway (27), Crawford, Day, Denison, Dugger, Ellinger, Entlicher, Fisher, Franz, Fuhr, Gatschenberger, Guernsey, Harris, Higdon, Hinson, Hubbard, Kelly (24), Klippenstein, Kratky, Lant, Lasater, Leara, Loehner, Marshall, McDonald, Montecillo, Pollock, Quinn, Reiboldt, Rizzo, Rowland, Schad, Scharnhorst, Silvey, Smith (71), Solon, Talboy, Taylor, Torpey, Wallingford, Weter and Wright.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, October 20, 2011.

COMMITTEE MEETINGS

FISCAL REVIEW

Thursday, October 20, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM,

Epworth Children & Family Services, Drop-In Center for Older Youth,
6900 Delmar, University City.

Public hearing and discussion of child care & any family-related topics.

Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.

Public hearing and discussion of foster & adoption care and any family-related topics.

Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,

Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.

Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Thursday, October 27, 2011, 1:00 PM,

Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110

Meeting is in: Troost Room.

There will be a public hearing.

RULES

Thursday, October 20, 2011, 8:45 AM House Hearing Room 6.

Public hearing will be held: HJR 1, HR 4672

Executive session will be held: HJR 1, HR 4672

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

HOUSE BILLS FOR SECOND READING

HB 10

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended (request House recede/take up and pass bill) - Tilley

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Thou wilt keep him in perfect peace, whose mind is stayed on Thee: because he trusteth in Thee. (Isaiah 26:3)

O God, our Father, Who is the creator of the world, the sustainer of life everywhere, and the companion of our way - touch our lives with spirit-hand as we come to You in this our morning prayer. Facing the tasks of this new day we pray for wisdom to make wise choices, for strength to stand firm for what is good and just for all, and for courage to walk confidently in the way of Your commandments.

We do not just pray for release from burdens, but for renewed strength to carry them; not for an escape from problems, but for an increased power to meet them and to solve them; not for less work, but for greater faith to do our work without worry.

We pray for all who are working in the cause of justice and peace in our state and in our nation. May the peace of Your presence abide in all our hearts.

We finally say "Go Cardinals!" And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the seventeenth, eighteenth, nineteenth, and twentieth days were approved as printed.

SECOND READING OF HOUSE BILL

HB 10 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 4672

WHEREAS, Missouri has an extensive history of supporting our military and strengthening our nation; and

WHEREAS, our military personnel and their families receive peace of mind that they have the F/A-18E/F Super Hornet, which is the most capable, next-generation, multi-role strike fighter in combat today, ensuring their safety, protecting our nation, and securing peace around the world; and

WHEREAS, the F/A-18E/F Super Hornet is the most capable, multi-role strike fighter in production today and will continue to provide air superiority to the United States and its allies for the next generation; and

WHEREAS, over 24,000 retirees and over 15,000 hardworking employees in Missouri contribute to the success of programs like F/A-18E/F; and

WHEREAS, in 2010, \$764 million of materials were purchased from 969 Missouri suppliers for programs such as the F/A-18E/F, further contributing to the sustainability of Missouri jobs and substantial economic impact in Missouri; and

WHEREAS, the United States invested into a multi-year procurement of F/A-18E/F Super Hornet aircraft in 2010, which will continue through 2014 and will save the taxpayers over \$818 million; and

WHEREAS, every F/A-18E/F aircraft has been delivered to our military on time and at cost, providing the only capable and affordable multi-strike fighter today; and

WHEREAS, limiting the production of the F/A-18E/F program would increase costs of the only affordable multi-strike fighter flying in combat today, effectuating adverse economic impact to Missouri:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F/A-18E/F Super Hornet program to the State of Missouri, our military, and our national security, and to support the continued production and full funding of the F/A-18E/F program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 1**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**SUPPLEMENTAL CALENDAR
OCTOBER 20, 2011**

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 1 - Silvey

HOUSE RESOLUTION

HR 4672 - Funderburk

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended, relating to tax credits, was taken up by Representative Tilley.

Representative Tilley moved that the House refuse to recede from its position on **HCS SS SCS SB 8, as amended**, and request the Senate to grant the House a conference.

Which motion was adopted.

MOTION

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 120

Allen	Anders	Aull	Bahr	Barnes
Berry	Black	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Hampton	Harris	Higdon	Hinson
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Talboy
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 009

Atkins	Carlson	Conway 27	Kratky	Pierson
Schupp	Swinger	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 030

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Grisamore	Haefner	Hodges

Holsman	Hoskins	Hubbard	Hughes	Jones 63
Lair	Lampe	Lichtenegger	Marshall	Meadows
Nasheed	Neth	Newman	Riddle	Ruzicka
Sater	Swearingen	Thomson	Webb	Zerr

VACANCIES: 004

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SB 8: Representatives Tilley, Diehl, Zerr, Kelly (24) and Webber

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 1, relating to legislative review of tax credits, was taken up by Representative Silvey.

Representative Oxford offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HCS HJR 1** was adopted by the following vote:

AYES: 101

Allen	Anders	Aull	Barnes	Black
Brown 85	Brown 116	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Lant
Largent	Lauer	Leara	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Talboy	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 025

Atkins	Bahr	Berry	Carlson	Kirkton
Koenig	Kratky	Lasater	Leach	May
McCann Beatty	McDonald	McNeil	Nance	Nichols
Oxford	Pace	Pierson	Schieber	Schupp
Smith 71	Spreng	Swinger	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Franz	Grisamore
Haefner	Hodges	Holsman	Hoskins	Hubbard
Hughes	Jones 63	Lair	Lampe	Lichtenegger
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schneider	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

On motion of Representative Silvey, **HCS HJR 1** was ordered perfected and printed.

HOUSE RESOLUTION

HR 4672, relating to the Super Hornet aircraft program, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HR 4672** was adopted by the following vote:

AYES: 125

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lant	Largent	Lasater
Lauer	Leach	Leara	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still

127 *Journal of the House*

Stream	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Grisamore	Haefner
Hodges	Holsman	Hoskins	Hubbard	Hughes
Jones 63	Lair	Lampe	Lichtenegger	Loehner
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schad	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 1 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 10 - Rules

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 1** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 11:00 a.m., Thursday, October 27, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM,
Epworth Children and Family Services, Drop-In Center for Older Youth,
6900 Delmar, University City.
Public hearing and discussion of child care and any family related topics.
Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.
Public hearing and discussion of foster and adoption care and any family-related topics.
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.
Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Thursday, October 27, 2011, 1:00 PM,
Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110.
Meeting is in: Troost Room.
There will be public hearing.

HOUSE CALENDAR

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 1 - Silvey

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended (House refuses to recede/request conference) - Tilley

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

The House met pursuant to adjournment.

Representative Grisamore in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Be strong and of a good courage; be not afraid, neither be thou dismayed; for the Lord thy God is with thee whithersoever thou goest. (Joshua 1:9)

O God of all goodness and grace, bless us as we lift our spirits unto You in prayer. Make us increasingly aware of Your presence as in this moment we close our eyes and open our hearts unto You. Help us to meet our experiences this day with a singing faith, a strong courage, and a steadfast love.

When disappointments come, when discouragements would shut us in and threaten to shut us out, when the clouds of distress hover over us, give us strength to launch out into the duties of each day - not understanding all that is happening - but in the midst of it all remaining steady and serene, masters of ourselves and servants of Yours.

Give us such a confidence in Your sustaining grace that no weakness of our own may cause us to lose faith and no shortcoming may make us give way to undue anxiety. In all things, by all ways, through all experiences keep us faithful that our consciences may be clear, our hearts clean, and our spirits confident.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was led by Kennedy, Sydney and Kellen Merrell, children of Kristen Merrell, Missouri's 2011 Teacher of the Year, Lee's Summit R-7, Lee's Summit, Missouri.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kennedy Merrell, Sydney Merrell and Kellen Merrell.

The following members' presence was noted: Barnes, Colona, Conway (27), Day, Franklin, Fuhr, Harris, Kelley (126), Kelly (24), Kratky, Montecillo, Rizzo, Schad, Scharnhorst, Schupp, Talboy, Taylor, and Wallingford.

ADJOURNMENT

On motion of Representative Grisamore, the House adjourned.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.
Public hearing and discussion of foster & adoption care and any family-related topics.
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.
Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Annual accountability presentation by MoDOT Director Kevin Keith.
Highway namings.

AMENDED